



Town of Arlington Board of Selectmen

Meeting Agenda

June 19, 2017

7:15 PM

Selectmen's Chambers, Town Hall, 2nd Floor

CONSENT AGENDA

1. Minutes of Meetings: June 5, 2017
2. Reappointment: Minuteman School Committee, Arlington Representative
Sue Sheffler
(term July 1, 2017 - June 30, 2020)
3. For Approval: Arlington International Film Festival Banners
April L. Ranck, Executive Director, AIFF
4. Request: Special (One Day) Beer & Wine License, 6/24/17 @ 20 Westminster Avenue for '20 Westminster goes into Construction Dance Party'
Pamela Hallett, Housing Corporation of Arlington
5. Appointment of New Election Worker: (1) Eileen Davie, 134 Lake Street, U, Pct. 6

PUBLIC HEARINGS

6. 7:15 p.m. National Grid Petition/Wright Street (Public Way)
Barbara Kelleher, Permit Representative
(all abutters notified)
7. 7:15 p.m. Alcohol Compliance Hearing
Restaurants:
a) Duet, 190 & 192 Massachusetts Avenue
b) Zhu's Garden, 166 Massachusetts Avenue
Package Store:
a) Alexander Liquors, 94B Summer Street
Douglas W. Heim, Town Counsel
8. 7:15 p.m. Arlmont Street (west of Highland Avenue)
a) Request: Repair to Private Way
b) Betterment Order
Kim Cayer, Resident

APPOINTMENTS

9. Arlington Preservation Fund, Arlington Historical Society Designee
Robert Fredieu (term to expire 6/30/17)

LICENSES & PERMITS

10. Request: Alteration of Premise-All Alcohol License
Scutra, 92 Summer Street, Cesidia Baugnet
11. Approval: Sidewalk Cafe Permit
Duet, 190 Massachusetts Avenue, Wayne Duprey

CITIZENS OPEN FORUM - SIGN IN PRIOR TO BEGINNING OF OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

12. Request: Oktoberfest at the Old Schwamb Mill, October 14, 2017
Edward Gordon, Museum Administrator, Old Schwamb Mill
Lynette Bennett, Communications Assistant
 - a) Special (One Day) Beer & Wine License
 - b) Mill Lane (between Lowell Street and bridge over Mill Brook) - Street Closing
13. Presentation: Green Infrastructure Retrofit - Intersection of Egerton and Herbert
Wayne Chouinard, Town Engineer
14. Reimagining Our Libraries
Andrea Nicolay, Library Director
15. Report: Economic Development Matters
 - 1) Request for Approval: Vacant Storefront Registry Fee
 - 2) Update on Economic Development ActivitiesAli Carter, Economic Development Coordinator
16. Discussion: Board Appointee to Investment Policy Working Group
Joseph Curro, Chair
Adam W. Chapdelaine, Town Manager
17. Discussion: Board Appointee to Scholarship Program Working Group
Joseph Curro, Chair
Adam W. Chapdelaine, Town Manager
18. Request for Approval: Community Choice Aggregation Buckslip Insertion into Quarterly Tax Bills
Adam W. Chapdelaine, Town Manager
19. Request for Approval: Pay & Display Configuration at Library Lot Meter
Adam W. Chapdelaine, Town Manager
20. Request for Approval: Refer Gibbs School Traffic Analysis to TAC
Adam W. Chapdelaine, Town Manager
21. For Approval: Amendment to Traffic Rules & Orders
 - a) Kelwyn Manor: Princeton Road and Alfred Road TrafficAdam W. Chapdelaine, Town Manager
22. Town Manager's Evaluation
Joseph A. Curro, Jr., Chair

CORRESPONDENCE RECEIVED

Request Enforcement of 25mph Speed Limit on Ridge Street

Drs. Nazila & Matthew Miller, 80 College Avenue
Request Traffic Speed Slowing Solution on Washington Street
Jeremy Keller, 600 Summer Street

NEW BUSINESS

EXECUTIVE SESSION

Next Scheduled Meeting of BoS July 24, 2017.



Town of Arlington, Massachusetts

Minutes of Meetings: June 5, 2017

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	6.5.17_draft_minutes.docx	draft minutes 6.5.17

TOWN OF ARLINGTON
BOARD OF SELECTMEN
Meeting Minutes
Monday, June 5, 2017
6:30 PM

Present: Mr. Curro, Chair, Mr. Greeley, Mrs. Mahon, and Mr. Dunn
Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Krepelka
Absent: Mr. Byrne

Mr. Curro requested a moment of silence in memory of Walter Phillips, 2 Crescent Hill Avenue, a long time Town Meeting Member and Roslyn Smith, 36 Washington Street, daughter of the late Richard Smith who was a longtime activist in the Town of Arlington. The Selectmen offered condolences to both families.

1. Girl Scout Presentation on Traffic Safety to Earn Bronze Award
Avon Lewis and 5th Grade Girl Scout Troop

The Board thanked the Girl Scouts for their presentation on Traffic Safety and for all their hours spent on observing intersections at Park Avenue, Park Avenue Ext. and Summer Street, Summer and Brattle Streets and Downing Square.

Mrs. Mahon asked that Safety Officer Corey Rateau and the Town Manager follow up on the recommendations made in their presentation.

Mrs. Mahon moved receipt of report.

SO VOTED (4-0)

2. Presentation of Grant Award - Wheelabrator Grant to Food Link
John Farese, Wheelabrator Technologies
DeAnne Dupont, Food Link

Mr. Farese of Wheelabrator Technologies, presented DeAnne Dupont, President and Co-Founder of Food Link, a check in the amount of \$3,000. Food Link delivers food to organizations that serve low-income families, at-risk youth, seniors, homeless people and others in the Arlington area who don't have access to healthy food on a regular basis. Food Link provides food to around 5,000 people per month.

The Board thanked Mr. Farese for his generosity.

FOR APPROVAL

3. For Approval: Annual 5K Race, September 10, 2017
Susan Carp, Executive Director, Arlington Council on Aging
Health and Human Services Charitable Corporation

The Council on Aging, working with the Health and Human Services Charitable Corporation, seeks approval and support from the Town of Arlington to host the annual 5K Race to help fund programs/services under the guidance of the ACOA. This race is slated for Sunday, September 10, 2017. The official start time will be at 10:00 a.m. in front of Town Hall with closing ceremonies and celebrations to end no later than 1 p.m. in front of the Senior Center located at 27 Maple Street.

Mrs. Mahon moved approval.

SO VOTED (4-0)

CONSENT AGENDA

4. Minutes of Meetings: May 15, 2017
Mrs. Mahon moved approval.

SO VOTED (3-0-1)
Mr. Greeley abstained.

5. REAPPOINTMENTS (terms to expire 6/30/2020)
Board of Human Resources
Cynthia Gallagher
Julie McKenzie
Board of Library Trustees
Katharine Fennelly
Cemetery Commission
Brian Hasbrouck
Commission on Disabilities
Liza Molina
Community Preservation Committee
Andrew Bengston
Eric Helmuth
Conservation Commission (Associate Member)
Catherine Garnett
Conservation Commission
Susan Chapnick
Constable
Tina M. Helton
Council on Aging
Noreen Murphy
Paul Raia
James Munsey
Redevelopment Board
Andrew West
Vision 2020 Standing Committee
Annie LaCourt
6. For Approval: Hackney/Taxi Business Operator's Permit Renewals
Boston Airport Express, Shafan Nath
7. Request: Contractor/Drainlayer License
StrongBack Systems, Nutting Lake, MA
8. Request: Special (One Day) Beer & Wine License, 6/10/17 @ Whittemore Robbins
House for a Private Event
Courtney Chrysanthopoulos

9. Request: Special (One Day) All Alcohol License, 6/11/17 @ Whittemore Robbins House
for a Private Event
Tulasi Srinivas
10. Request: Special (One Day) Beer & Wine License, 6/17/17 @ Whittemore Robbins
House for a Private Event
Elise Ratchford/Robert Mulhausen
11. Appointment of New Election Workers: (1) Sheryl Emerson, 205 Spring Street, U,
Precinct 8
Mrs. Mahon moved approval. SO VOTED (4-0)

APPOINTMENTS

12. Arlington Historic District Commissions (Realtor)
Nellie Aikenhead (term to expire 6/30/2020)
Mr. Greeley moved approval. SO VOTED (4-0)

LICENSES & PERMITS

13. Request: Common Victualler and All Alcohol Licenses Transfer
Jimmy's Steer House, 1111 Massachusetts Ave., Antonios P. Karapatsas
Mrs. Mahon moved approval subject to all conditions as set forth. SO VOTED (4-0)
14. Verizon Cable Franchise License Amendment
Adam W. Chapdelaine, Town Manager
Mrs. Mahon moved approval. SO VOTED (4-0)

TRAFFIC RULES & ORDERS / OTHER BUSINESS

15. Approval: Letter of Support for Bus Rapid Transit Grant
Adam W. Chapdelaine, Town Manager
Mrs. Mahon moved approval. SO VOTED (4-0)

16. Discussion: Future BoS Meetings
The Board voted to have the following future Selectmen Meetings:

July 24, 2017 - 7:15 p.m.

August 7, 2017 - 7:15 p.m.

September 11, 2017 - 7:15 p.m.

NEW BUSINESS

Mr. Chapdelaine stated that the Arlington Porchfest held on Saturday, June 3rd, was incredible and very successful.

Mr. Greeley stated that on Tuesday, June 6th, at the Sons of Italy, the Rotary Club will be presenting Adam Chapdelaine with the Paul Harris Award and Fred Ryan with the Community Person of the Year Award.

Mr. Curro thanked the Veterans Council and Director of Veterans Service Jeff Chunglo for presenting a wonderful Memorial Day Celebration at Town Hall on May 30, 2017.

Mr. Curro announced that on May 1, 1867 --150 years ago, the independent Town of West Cambridge was officially re-named as Arlington. The formal public celebration of the Town's new identity followed on June 17, 1867 to coincide with Bunker Hill Day, which at that time was a public holiday in Arlington. This year we are fortunate that June 17th falls on a Saturday, to facilitate the public's participation in an informal celebration of the 150th Anniversary at the Arlington Historical Society that afternoon.

Mrs. Mahon moved to adjourn at 7:10 p.m.

SO VOTED (4-0)

A true record attest:

Marie A. Krepelka
Board Administrator

Next scheduled meeting of the BoS - June 19, 2017.

6-5-17

Agenda Item	Documents Used
1	Girl Scouts Reference Material on Traffic Safety to Earn Bronze Award
2	Wheelabrator Grant to Food Link
3	Request from Council on Aging: Annual 5K Race
4	Minutes of May 15, 2017 BOS Meeting
5	Reappointments – terms to expire 6/30/2020
6	Hackney/Taxi Business Operator's Permit Renewal Application
7	Contractor/ Drainlayer License Application / StrongBack Systems
8	Special One Day Beer and Wine Application for a Private Party on 6/10/17 Whittemore Robbins House
9	Special One Day All Alcohol Application for a Private Party on 6/11/17

	Whittemore Robbins House
10	Special One Day Beer and Wine Application for a Private Party on 6/17/17 Whittemore Robbins House
11	Appointment of New Election Workers Master Records Sheryl Emerson, 205 Spring Street
12	Arlington Historic District Commissions Appointment Nellie Akenhead - term to expire 6/30/2020
13	Common Victualler and All Alcohol License Transfer Application & Reports Jimmy's Steer House, 111 Massachusetts Avenue, Antonios P. Karapatsas
14	Arlington Verizon Final License Amendment
15	Letter of Support for Bus Rapid Transit Grant
16	Future BoS Meetings July – September Calendar



Town of Arlington, Massachusetts

Reappointment: Minuteman School Committee, Arlington Representative

Summary:

Sue Sheffler

(term July 1, 2017 - June 30, 2020)

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Minuteman_Regional_Agreement__Section_I_(c).pdf	Minuteman New Regional Agreement, Section I (c)
▢ Reference Material	S._Sheffler_request_for_reappointment.pdf	S. Sheffler request for reappointment, meeting notice

From: "Rozan, Elizabeth" <e.rozan@minuteman.org>
Sue Sheffler <ssheffler@aol.com>, "BOS all, Arlington through Admin."
<mkrepelka@town.arlington.ma.us>, "dunster@dandunn.org" <dunster@dandunn.org>,
To: "jleone@town.arlington.ma.us" <jleone@town.arlington.ma.us>, "Arlington (Stephanie Lucarelli)"
<slucarelli@town.arlington.ma.us>
Cc: "Bouquillon, Ed" <e.bouquillon@minuteman.org>
Date: 05/04/2017 01:54 PM
Subject: Reminder on SC Reappointments

To: Sue Sheffler, Minuteman School Committee Representative
Arlington and Arlington Board of Selectmen

From: Edward Bouquillon, PhD, Superintendent-Director

RE: SC Term Expiration/Reappointment

Date: May 4, 2017

This is a reminder that your term as School Committee representative to the Minuteman District from the Town of **ARLINGTON** will expire on **JUNE 30, 2017**.

According to the new Regional Agreement, Section I (c) Appointing Authority:

"...Beginning on the July 1 when this amended language becomes effective, each member shall thereafter be appointed by vote of the Board of Selectmen of that town...except that in the case of a town, the town may by bylaw or charter provide for appointment of that member by the moderator."

You have expressed interest in being reappointed. If you seek a reappointment for another 3 year term (July 1-June 30), a letter confirming this reappointment from the Appointing Authority and evidence from your Town Clerk that you have taken the oath of office must be received by June 30. Please send to Elizabeth Rozan (e.rozan@minuteman.org).

Attached please find the job description for a Minuteman District School Committee member. I look forward to receiving your paperwork in a timely way so there is no gap in your towns' representation.

Edward A. Bouquillon, PhD

Superintendent-Director

Edward A. Bouquillon, PhD

Superintendent-Director

Minuteman High School

758 Marrett Road, Lexington, MA 02421

T 781.861.6500 x 7301

F 781.863.1747

C 413.537.6451

www.minuteman.org

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Elizabeth Rozan, M.A.
District Assistant

Minuteman High School

758 Marrett Road, Lexington, MA 02421

T 781.861.6500 x7449

F 781.863-1747

e.rozan@minuteman.org

www.minuteman.org

From: sue <ssheffler@aol.com>
To: jcurro@town.arlington.ma.us
Cc: mkrepelka@town.arlington.ma.us
Date: 05/08/2017 03:25 PM
Subject: Minuteman SC Reappointment

To the Arlington Board of Selectmen;

I would like to submit my name for (re)appointment as Arlington's representative to the Minuteman school committee. The next 3 year term will be July 1, 2017-June 30, 2020.

Thank you for your consideration,

Sue Sheffler
26 Kensington Park

ssheffler@aol.com
617 959 4119

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

June 8, 2017

Sue Sheffler
26 Kensington Park
Arlington, MA 02476

Re: Reappointment - Minuteman School Committee, Arlington's Representative

Dear Ms. Sheffler:

Please be advised that the Board of Selectmen will be discussing your reappointment to the above-named at their meeting to be held on Monday, June 19th at 7:15 p.m. in the Selectmen's Chambers, Town Hall, 2nd Floor. Although it is not a requirement that you attend the meeting, you are invited to be in attendance.

Very truly yours,
BOARD OF SELECTMEN

A handwritten signature in cursive script that reads "Marie A. Krepelka".

Marie A. Krepelka
Board Administrator

MAK:fr



Town of Arlington, Massachusetts

For Approval: Arlington International Film Festival Banners

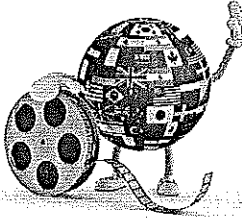
Summary:

April L. Ranck, Executive Director, AIFF

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	AIFF_banner_request_2017.pdf	Banner Request 2017

THE ARLINGTON INTERNATIONAL FILM FESTIVAL



"Where Arlington and the world converge."

RECEIVED
SELECTED OFFICE
ARLINGTON, MA
2017 JUN 12 PM 1:25

June 9, 2017

Re: Request to hang Banners

Arlington Selectmen,

Arlington International Film Festival (AIFF), approaching its 6th year of production, is pleased to announce that this year's Festival will be held at the Capitol Theater October 26-29. We are delighted to be back in Arlington, home of the Festival. We respectfully come before you with our request to display banners in Arlington Center and in East Arlington. ATED has graciously committed to sponsoring AIFF.

Specifics:

- *Display dates: September 18th - October 31st (following Town Day)*
- *4 double-sided banners to be displayed on poles in Arlington Center (3 x 7)
Rt.60 and Mass Ave poles (west)
Rt.60 and Mass Ave poles (east)*
- *6 double-sided banners to be displayed on poles in East Arlington (?)*

On behalf of the Arlington International Film Festival, I would like to express my sincere appreciative for the support we have received from the Town of Arlington and the many organizations, businesses as well as individuals over the past five years. As the Festival continues to grow we look forward to our continued relationships.

Thank you for your consideration and I will look forward hearing from you.

Kind Regards,

April L. Ranck
Executive Director



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 6/24/17 @ 20 Westminster Avenue for '20 Westminster goes into Construction Dance Party'

Summary:

Pamela Hallett, Housing Corporation of Arlington

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Ref_Mat_6.19.17_Housing_Corp._One_Day_License.pdf	application request

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: Housing Corporation of Arlington - Pamela Hallett

Address, phone & e-mail contact information: 252 Massachusetts Ave Arlington, MA 02474

Name & address of Organization for which license is sought: _____
Housing Corporation of Arlington

Does this Organization hold nonprofit status under the IRS Code? ☒ Yes ☐ No

Name of Responsible Manager of Organization (if different from above): _____

Address, phone & e-mail contact information: _____
252 Massachusetts Ave Arlington MA 02474; phallett@housingcorporarlington.org ; 781 859-5211

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? no If so, please give date(s) of Special Licenses and/or applications and title of event(s). _____

Is this event an annual or regular event? If so, when was the last time this event was held and at what location? _____

24-Hour contact number for Responsible Manager of Alcohol Event date: 773 408-5963

Title of Event: 20 Westminster Goes Into Construction Dance Party

Date/time of Event: Saturday June 24 7-10pm

Location of Event: 20 Westminster

Location/Event Coordinator: Pam Hallett

Method(s) of invitation/publicity for Event: Chimp mail and emails AND FLYERS

Number of people expected to attend: 45

Expected admission/ticket prices: \$25

Expected prices for food and beverages (alcoholic and non-alcoholic): No charge for food.
Beer & wine will be \$3 per glass/bottle/can.

Will persons under age 21 be on premises? No

If "yes," please detail plan to prevent access of minors to alcoholic beverages. _____

Have you consulted with the Department of Police Services about your security plan for the Event? _____

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Detective Corey P. Roteau
Detective Corey P. Roteau
Printed name/title

Date 6/13/17

POLICE COMMENTS:

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

Beer and Wine

What types of food and non-alcoholic beverages do you plan to serve at the Event? _____

soda water, soft drinks, Trader Joe's snacks and dips

Who will be responsible for serving alcoholic beverages at the Event? _____

HCA staff

BARTENDER FROM MONTGOMERY CREEK

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

Kimberly Donovan on HCA's staff works part time in a bar serving alcoholic beverages. She has had this position for 1.5 years.

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

Pam Hallett 12-19-1949

Rita Shah 05/04/1966

Kimberly Donovan 07/28/1987

BARTENDER PROVIDED BY MONETOMY GRILL

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc) MACTHEM'S

Date of Delivery: June 24th

Alcohol Serving Time (s): 7pm to 10 pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

Pamela Hallett will remove the excess alcoholic beverages by Sunday evening June 25, 2017


Date of Pick-Up: June 25, 2017

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.) Lloyd's of London

Commercial General Liability, Commercial Property Coverage - \$2M;

Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: 

Printed name: Pamela Hallett

Printed title & Organization name: Housing Corporation of Arlington

Email: phallett@housingcorporation.org

Security Plan for June 24th, 2017 for 20 Westminster Ave, Arlington from 7pm to 10pm.

This is for a dance party to celebrate the start of construction on the 20 Westminster building.

The party will run from 7pm to 10pm. Everyone will be gone from the building by 10:30pm

We are anticipating 45-50 people.

We have invited the neighborhood via the Mt Gilboa email list and will flier the direct abutters as a way of notification of the event and the potential neighborhood impact

Parking will be on the street at both Westminster and Lowell Street.

Exit doors are plainly marked with exit signs.

A live band has been hired and will perform. They may set up and run through numbers starting at 6pm. Music will cease no later than 10pm. Windows on the west side of the building will remain closed throughout the event.

Only beer and wine will be served

We will have a bartender on site all evening with the appropriate liquor license, their card will be on their person for the evening. Individuals will be carded again at the bar.

Only individuals over 21 will be allowed into the venue.

All patrons will enter from the main door on 20 Westminster where IDs will be checked.

Security will be provided by two individuals over 30 years old who will not drink. One has extensive experience as a bouncer at private bars so understands de-escalation methods. Both have been instructed to maintain a peaceful evening for all.

No one will be sold more than three drinks.

No one who appears to have over imbibed will be served nor will they be allowed to leave the venue without knowledge of how they will be getting home. They will not be allowed to drive. If necessary an Uber will be called for them.

In the event of a disturbance or an emergency 911 will be called immediately.



Town of Arlington, Massachusetts

Appointment of New Election Worker: (1) Eileen Davie, 134 Lake Street, U, Pct. 6

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Davie_election_worker_master_record.pdf	Master Record

ELECTION WORKER'S MASTER RECORD

Date: 6/18/17

Check One: ✓ New Employee
 Change to Existing Employee

Vendor #		Position	INSPECTOR
Name:	Eileen Davie	Democrat	
Address:	134 LAKE STREET	Republican	
		Unenrolled	✓
Zip Code	02474	Precinct	6
Alpha/ Last Name		Phone #	

Position Codes:

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	



Town of Arlington, Massachusetts

7:15 p.m. National Grid Petition/Wright Street (Public Way)

Summary:

Barbara Kelleher, Permit Representative
(all abutters notified)

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Engineering_Recommendations_National_Grid.pdf	Engineering Recommendations
▢ Reference Material	National_Grid_Reference.pdf	National Grid request and reference



Engineering Division

TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS

51 GROVE STREET
ARLINGTON, MA 02476

Phone: 781-316-3320
Fax: 781-316-3281

Permit Type: Grant of Location

Date: Monday, June 5, 2017

Applicant: National Grid Gas Company

Site Location: Wright Street/Heard Rd.

The Engineering Division has reviewed the petition by National Grid for consideration of a Grant of Location for the installation of 122 LF +/- of 6" Plastic Gas Main as indicated on the provided Engineering Design Sketch (Plan GP-ARL-1150589-17-34).

Since the portion of Wright St. is a private way, we do not recommend issuing or denying a Grant of Location for this. However, we do recommend notifying the Applicant that the required Street Opening Permit Application, which will be required for this work, should include an agreement between the Applicant and the direct abutters to the work specifying the requirements for restoration of the road and work-site upon completion of the project.

We are also recommending the following items listed below to allow the Engineering Division to review the proposed gas main location and provide input to the contractor directly to prevent impacts to any Town-Owned infrastructure within the roadway limits:

1. The proposed gas main installation shall be located/installed in the roadway so as not to impede future roadway improvements (i.e. curb adjustment, guardrail installation, water, sewer or drainage rehabilitations etc.).
2. The proposed gas main location shall be pre-marked in the roadway prior to any construction activities. A site walk with the Town of Arlington Water & Sewer Division and/or Engineering Division be scheduled by National Grid to approve the proposed gas main location based on known utility locations prior to the commencement of work.
3. The construction of the gas main installation will require additional permitting (Trench Permit and/or Street Occupancy Permit) through the Town of Arlington Engineering Division prior to the start of construction.
4. Once work has been completed and the work area has endured a full season of winter conditions the applicant shall meet with the Engineering Division to inspect the condition of the trench and determine any remaining project or pavement restoration requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne A. Chouinard".

Wayne A. Chouinard, P.E.
Town Engineer

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

RECEIVED
SELECTOR'S OFFICE
ARLINGTON, MA 02476
2017 MAY 24 PM 12:55

Town of Arlington / Board of Selectmen:

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **Town of Arlington** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 122 feet, more or less of 6 inch gas main in Wright St., Arlington, from the existing 6 inch gas main in front house #81 southerly to the start of the private way near Heard Rd.

Date: May 24, 2017

By: Barbara H. Kelleher
Barbara H. Kelleher
Permit Representative

Town of Arlington / Board of Selectmen:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **Town of Arlington** substantially as described in the petition date May 24, 2017 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **Town of Arlington** applicable to the enjoyment of said locations and rights.

Date this _____ day of _____, 20____.

I hereby certify that the foregoing order was duly adopted by the _____ of the Town of _____, MA on the _____ day of _____, 20____.

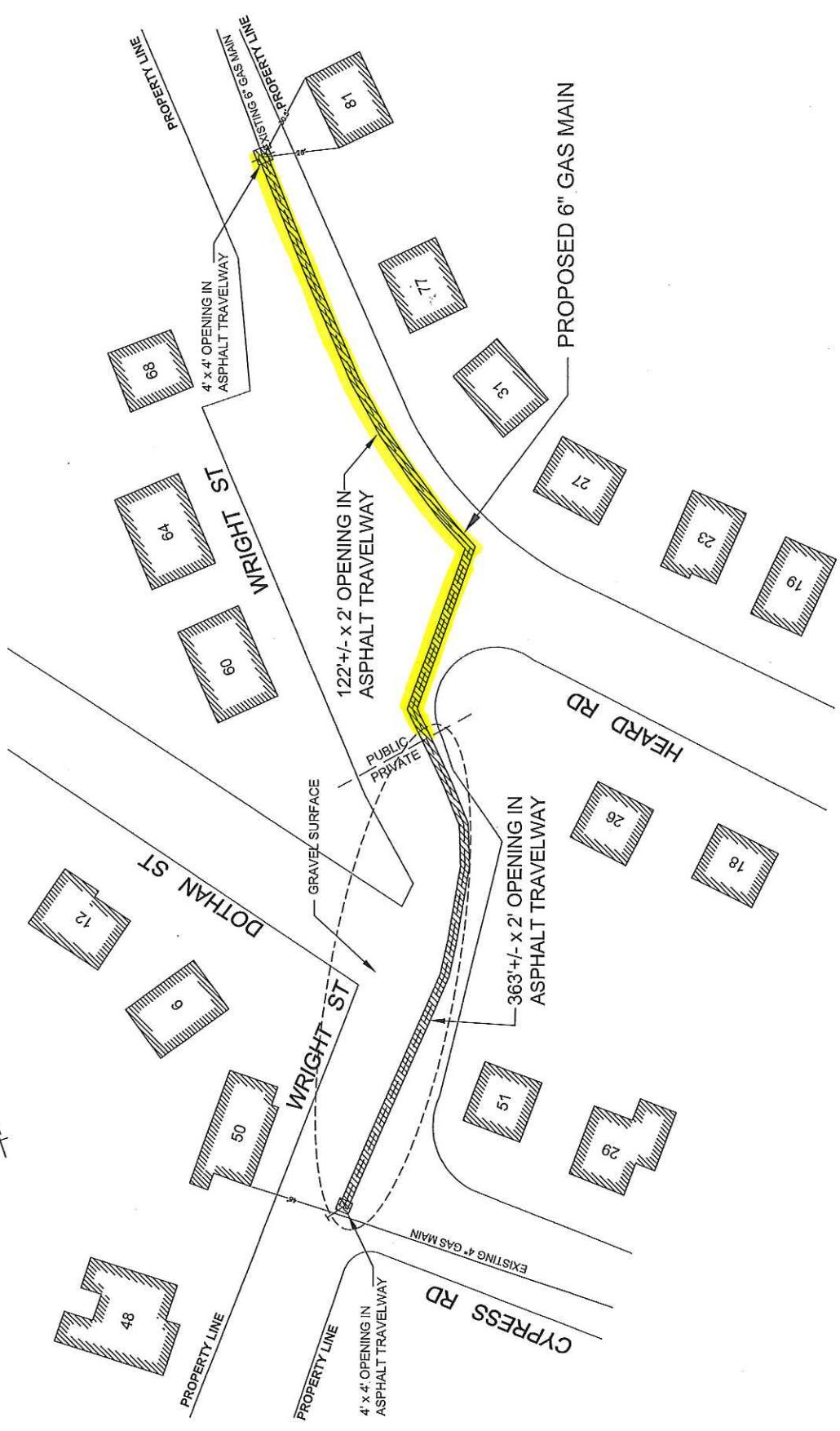
By: _____

Title

WO#1150589

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONAL GRID
40 SYLVAN RD, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

12



NOTE THE LOCATION OF SURFACE AND SUBSURFACE UTILITIES SHOWN ARE NOT WARRANTED TO BE CORRECT. CALL BEFORE YOU DIG. 1-800-DIG-SAFE. UTILITIES AND STREET LINES COMPILED FROM: 1-800-DIG-SAFE. NO FIELD VERIFICATION PERFORMED.		MANHOLE & WELL (M) - MANHOLE (W) - WELL (S) - SINKHOLE (T) - TELEPHONE MANHOLE (E) - ELECTRIC MANHOLE (G) - GAS MANHOLE (S) - SEWER MANHOLE																															
LEGEND --- NEW GAS --- EXISTING GAS --- WATER --- SANITARY SINK --- TELEPHONE --- ELEC. OF ROADWAY		REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>APP'D</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DESCRIPTION	DATE	BY	APP'D																									
NO.	DESCRIPTION	DATE	BY	APP'D																													
nationalgrid 40 SYLVAN ROAD WALTHAM, MA 02451																																	
GRANT OF LOCATION PROPOSED OPENING TO INSTALL NEW 6" GAS MAIN WRIGHT ST, ARLINGTON, MA 02474																																	
OVERLAP 10/1/2017	DATE 2/23/2017	SPEC. 6"	PRESSURE UP																														
MATERIAL PLASTIC	LENGTH AS NOTED	WORK ORDER NO. 1150589	SCALE: N.T.S. SHEET 1 OF 1																														
DRAWING NO. GP-ARL 1150589-17-34																																	

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN.



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

May 26, 2017

Barbara Kelleher, Permit Representative
National Grid
40 Sylvan Road
Waltham, MA 02451

Re: Wright Street (Public Way)

Dear Ms. Kelleher:

The Board of Selectmen will be discussing your petition to install and maintain approximately 122 feet, more or less of 6 inch gas main in Wright Street on Monday, June 19, 2017 at 7:15 p.m., Selectmen's Chambers, 2nd Floor, Town Hall, 730 Massachusetts Avenue. You are invited to be in attendance at this meeting.

Please confirm the date and time with either Mary Ann or Fran.

Thank you.

Very truly yours,
BOARD OF SELECTMEN

Marie A. Krepelka
Marie A. Krepelka
Board Administrator

MAK:fr

77 WRIGHT ST 16.0-1-9.C
SULLIVAN PETER J & BEVERLY
77 WRIGHT STREET
ARLINGTON, MA 02474

31 HEARD RD 16.0-1-10.A
DELLOS JEAN
31 HEARD RD
ARLINGTON, MA 02474

27 HEARD RD 16.0-1-11.A
FIRLA GAIL
27 HEARD RD
ARLINGTON, MA 02474

81 WRIGHT ST 16.0-1-25.A
FRALEY ANDREW & CARA
81 WRIGHT STREET
ARLINGTON, MA 02474

76 WRIGHT ST 16.0-5-7.0
TREMBLY-BJORNGJELD BETTY
76 WRIGHT ST
ARLINGTON, MA 02474

68 WRIGHT ST 16.0-5-9.0
MC CARTHY BARBARA A & PAUL
68 WRIGHT ST
ARLINGTON, MA 02474

64 WRIGHT ST 16.0-5-11.A
NAMCHUK MARK & GAYLE
64 WRIGHT ST
ARLINGTON, MA 02474

60 WRIGHT ST 16.0-5-12.A
WINSTEAD TERESA
KRIVCHENKO OLGA
60 WRIGHT STREET
ARLINGTON, MA 02474

26 HEARD RD 16.0-6-1.0
SENESE ALFRED J & NANCY A
26 HEARD RD
ARLINGTON, MA 02474

I hereby certify that this list
has been prepared in accordance with
Chapter 40A, Sec 11 of MGL.

Kenn L. Feeley
Board of Assessors
Robert E. Greeley

5/25/2017
Date

NOTICE TO ABUTTERS

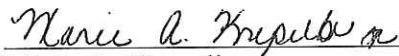
Town of Arlington

May 26, 2017

Dear Abutter:

You are hereby notified that a public hearing will be held at the Office of the Board of Selectmen, 2nd Floor, Town Hall, Arlington at **7:15 p.m.** on the **19th of June** upon the Petition of **Nationalgrid** for gas main locations, dated **May 24, 2017**. The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways, and places of the **Town of Arlington** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 122 feet, more or less of 6 inch gas main in Wright Street, Arlington, from the existing 6 inch gas main in front of House #81 southerly to the start of the private way near Heard Road.



Marie A. Krepelka
Board Administrator



Town of Arlington, Massachusetts

7:15 p.m. Alcohol Compliance Hearing

Summary:

Restaurants:

- a) Duet, 190 & 192 Massachusetts Avenue
- b) Zhu's Garden, 166 Massachusetts Avenue

Package Store:

- a) Alexander Liquors, 94B Summer Street
- Douglas W. Heim, Town Counsel

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Alcohol_Policy.Regulations_1.15_.docx	Alcohol Policy Manual
▢ Reference Material	Ref_Mat_6.19.17_Compliance_memo.report_D.Heim.pdf	compliance memo & report

TOWN OF ARLINGTON

Massachusetts
BOARD OF SELECTMEN

ALCOHOL LICENSES AND REGULATIONS



CERTIFICATION OF LICENSE APPLICANTS

All license applicants must sign a certification attesting that they have read and understood the Town policies, rules, and regulations relevant to their license.

The certification form is available at the Board of Selectmen's Office, and should be filed concurrently with any and all alcohol license applications.

TYPES OF LICENSES TO BE GRANTED IN ARLINGTON

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• Alcohol Licenses for Restaurants (both all alcohol and wine and malt only restaurants).....	3
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Policies, Rules, and Regulations of Alcohol Licenses for Restaurants

Approved: 9/21/09

Revised: 9/10/12

Revised 1/12/15

I. Introduction

A. General Statement of Policy

The Town of Arlington is home to a wide array of high-quality eating establishments. As the local licensing authority for all sales of alcoholic beverages in the Town of Arlington, the Board of Selectmen ("Board") wishes to support the existing restaurant culture and to stimulate its further growth through the issuance of liquor licenses to restaurants as appropriate. The Board also intends that all service and consumption of alcohol in the Town of Arlington be done responsibly and in conformance with all legal requirements. In service of these goals, licenses will be issued under these Policies, Rules, and Regulations only to holders of Common Victualler Licenses and with the consistent expectation that licensees will conduct their establishments to the highest standards.

The Board intends that the issuance of liquor licenses will contribute to the Town's development in the following respects:

- (1) Bring to the Town quality restaurants and function rooms that provide fine dining opportunities in attractive surroundings;
- (2) Provide convenient and attractive parking options;
- (3) Improve the variety of shops in Arlington;
- (4) Promote increased foot traffic; and
- (5) Strengthen the Town's commercial tax base.

Consequently, the Board's consideration of license applications will include location, proximity of proposed premises to residential neighborhoods or business areas, traffic impact, parking availability, content of proposed menu and other aesthetic considerations, including design and layout of the proposed establishment's interior. All required notification of applications for new licenses, amended licenses, or license transfers must be provided to abutters and other affected parties in accordance with state law.

B. Conditions of Licensure: Compliance with Legal Requirements

Liquor licenses are subject to these Policies, Rules, and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of

licensed premises, including but not limited to the State Building Code, Fire Code, and Common Victualler License requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation.

II. Licensing

A. Types of Licenses, Seating Capacity

The Board is authorized to issue two types of licenses for the sale of alcohol to be consumed on the premises: (1) All-Alcohol; and (2) Wine and Malt Beverages. All-Alcohol Licenses may be issued for restaurants having a minimum seating capacity of 50. Wine and Malt Beverage Licenses may be issued for restaurants having a minimum seating capacity of 19. Holders of licenses to sell wine and malt beverages for consumption on the premises may not sell cordials or liqueurs unless and until the Town adopts local-option legislation to allow such sales. Seating capacity will be determined in accordance with the applicable provisions of the Massachusetts State Building Code. Unless specified otherwise, these Policies, Rules, and Regulations apply to both All-Alcohol and Wine and Malt Beverages licenses.

B. Application Process

1. Forms: Application for a license to sell alcoholic beverages for consumption on the premises requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application.

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$100 must be submitted with each application;
- (b) license fees: If a license is granted, the following annual license fee shall be due at the time the license is issued and upon each renewal:
 - (i) All Alcohol License: \$3,000. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$1,500.
 - (ii) Wine and Malt Beverage License: \$1,750. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$600.

- (iii) Reductions: The Board may choose to reduce the annual license fee by \$400 for All-Alcohol Licenses and by \$200 for Wine and Malt Beverages Licenses for applicants who demonstrate successful completion of a certified server-training program.
- (c) the Board reserves the right to adjust any of the fees listed above from year to year.
- (d) form of payment: All payments must be made by certified or personal check.
- 3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;
 - (a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including dining rooms, function rooms, and storage rooms;
 - (b) The location of any proposed service bars;
 - (c) Moveable or secured seats and tables;
 - (d) Entrance and exit doors, windows, and stairs; and
 - (e) All rooms that are not requested to be licensed, but are on the same floor as the room or rooms that are requested to be licensed, identified as to function (e.g., kitchen, coatroom, lobby).
- 4. Corporate Ownership and Interest:
 - (a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote appointing the manager or other principal representative with respect to the license being requested.
 - (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board.
 - (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.
- 5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to

requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

C. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application

III. Operation of Licensed Premises

A. Hours

Unless otherwise fixed for a particular license, licensees may sell alcoholic beverages for consumption on the premises between the hours of 11:00 a.m. and 12:00 midnight daily, provided that food service is available during all hours in which alcoholic beverages are offered for sale. All alcoholic beverages and containers must be removed from tables and service bars one-half hour after closing time. Patrons must be off the licensed premises one hour after closing time. The licensee, the licensee's manager or principal representative, and employees or subcontractors of the licensee may be on the licensed premises after closing only in accordance with Chapter 138 of the General Laws.

B. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which alcoholic beverages are offered for sale. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

C. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

D. Physical Plant

The location of service bars shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No premises will be licensed unless adequate and appropriate toilet facilities are available to patrons. No amusement devices such as electronic games shall be permitted on any licensed premises. All licensed establishments shall have suitable appliances to maintain water temperature consistently at 180° so that eating, drinking, cooking, and serving utensils are thoroughly cleaned and sanitized. Licensed premises shall not allow in windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

E. Service and Consumption of Alcoholic Beverages and Food

1. Service of Alcoholic Beverages: Alcoholic beverages may be served only by wait staff of the licensed establishment. No pitchers of beer may be served. No alcoholic beverages may be served over a counter except a counter with fixed seating at which food service is also available. No alcoholic beverages may be served in the same area or over the same counter at which take-out food is made available for delivery or pick-up.

2. Service of Food: Food service must be available in all areas in which alcoholic beverages are served. No more than two alcoholic beverages per person may be served without food. After two alcoholic beverages have been served and consumed, a third such beverage may be served only with the delivery of food. Food must be served on solid, reusable dinnerware with silverware. Paper plates, disposable glasses, or plastic cutlery are not permitted.

3. Consumption of Alcoholic Beverages on the Premises: Only alcoholic beverages sold on the licensed premises shall be consumed on the premises: no patron shall be permitted to bring alcoholic beverages purchased off-site onto any licensed premises for consumption. All alcoholic beverages purchased on the premises shall be consumed on the premises, except unfinished bottles of wine re-sealed in accordance with Chapter 138, Section 12, of the General Laws and regulations of the Alcohol Beverages Control Commission. Even if the licensee's Common Victualler permit allows for outdoor seating, alcoholic beverages may be served in an outdoor space only if: (1) the description of the licensed premises expressly includes such outdoor space; (2) the outdoor space is surrounded by a suitable barrier or other physical element that maintains separation between the licensed premises and the general public; (3) the outdoor space is privately owned, or the outdoor space is on a public way and the owner of the licensed premises: a) obtains permission for such use from the Board, b) agrees to indemnify and hold harmless the Town of Arlington and all of its officers, officials, and assigns from any and all claims connected with their use of public ways areas described in the licensed premises, c) presents proof of insurance for its use of same, and d) complies with all other town, state, and federal laws including maintaining Americans with Disabilities Act (ADA) compliance; and (4) the Board is satisfied that neither the safety, nor the enjoyment of public ways shall be unreasonably compromised by issuance of a license permitting outdoor service of alcohol on a public way. All outdoor food and alcohol service shall conclude before 10:00 p.m. Thursday through Sunday, and 11:00 p.m. Friday and Saturday, unless otherwise affixed on a particular license as approved by the Board.

IV. Status of License

A. Exercise of License: Once a license is granted under these Policies, Rules, and Regulations, the licensee shall commence construction or alteration of the licensed premises within forty-five days and shall be in full operation within four months, unless a longer period is authorized by the Board. Thereafter, the licensee shall operate the licensed premises continuously in accordance with the terms of the license.

Closing of the licensed premises for seven consecutive days or for any ten days during the calendar year (other than outside the establishment's normal business hours) without prior written approval of the Board shall be considered abandonment of the license and sufficient grounds for revocation.

B. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.

In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underaged purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

C. Transfers

Licenses granted under these Policies, Rules, and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission.

Policies, Rules, and Regulations for All Alcohol Package Store Licenses

Approved: 1/12/15

I. Introduction

A. General Statement of Policy

The Town of Arlington is home to a wide array of retail establishments. As the local licensing authority for all sales of alcoholic beverages in the Town of Arlington, the Board of Selectmen ("Board") wishes to support the existing business climate and to stimulate its further growth through the issuance of Package Store Licenses as appropriate. The Board also intends that all service and consumption of alcohol in the Town of Arlington be done responsibly and in conformance with all legal requirements. In service of these goals, licenses will be issued under these Policies, Rules, and Regulations only to holders of package store licenses with the consistent expectation that licensees will conduct their establishments to the highest standards.

The Board intends that the issuance of package store licenses will contribute to the Town's development in the following respects:

- (1) Bring to the Town quality shops that provide retail alcohol products in attractive surroundings;
- (2) Provide convenient and attractive parking options;
- (3) Improve the variety of shops in Arlington;
- (4) Promote increased foot traffic; and
- (5) Strengthen the Town's commercial tax base.

Consequently, the Board's consideration of license applications will include number of existing dispensaries in the community, views of the inhabitants, traffic, noise, size of business operation intended, type of business operation intended, and reputation of applicant. All required notification of applications for new licenses, amended licenses, or license transfers must be provided to abutters and other affected parties in accordance with state law.

B. Conditions of Licensure: Compliance with Legal Requirements

Package store licenses are subject to these Policies, Rules, and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of licensed premises, including but not limited to the State Building Code, Fire Code, and

Sanitary Code requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation. *All taxes and charges owed the Town must be paid on a current basis. Failure to comply with any of these laws and regulations shall be sufficient cause for revocation, suspension, or modification of license.*

II. Licensing

A. Application Process

1. Forms: Application for a license for the sale at retail of alcoholic beverages not to be drunk on the premise where sold requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application. *Once denied, applications may not be submitted for (12) months.*

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$250 must be submitted with each application;
- (b) license fees: If a license is granted, the following annual license fee of \$2,500 shall be due at the time the license is issued and upon each renewal.
- (c) The Board reserves the right to adjust any of the fees listed above from year to year.
- (d) form of payment: All payments must be made by certified or personal check.

3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;

- (a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including storage rooms; and
- (b) Entrance and exit doors, windows, and stairs.

4. Corporate Ownership and Interest:

- (a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial

interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote appointing the manager or other principal representative with respect to the license being requested. *Any change in corporate name or status or any change in trade name (DBA) shall require the prior approval of the Board.*

- (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board. *The licensee shall not change managers, change corporate officers without first obtaining the approval of the Board. No person may have a direct or indirect beneficial interest in a license without first obtaining the approval of the Board.*
- (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.

5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

B. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application.

Any licensee intending to close a place of business, whether on a temporary or permanent basis, must notify the Board in writing before such closing stating the reason and length of such closing. Failure to provide such notice may result in the revocation of the license.

The licensee shall immediately notify, in writing, the Board of any proceedings brought by or against the licensee under the bankruptcy laws or of any other court proceedings which may affect the status of the license.

III. Operation of Licensed Premises

A. Hours

Unless otherwise fixed for a particular license, licensees may sell alcoholic beverages not for consumption on the premises between the hours of 8:00 a.m. and 12:00/midnight Monday through Saturday and between the hours of 10:00 A.M. and 12:00 midnight Sunday. The licensee, the licensee's manager or principal representative, and employees or subcontractors of the licensee may be on the licensed premises after closing only in accordance with Chapter 138 of the General Laws.

No sale or delivery of alcoholic beverages shall be made except during the legal hours of sale. Alcoholic beverages shall be transported or delivered for sale only upon orders actually received at the licensed business prior to the shipment thereof and must comply with the following. Package store licensees are required to keep a written record of the name and address of every person to whom a delivery is made outside of the premises. Additionally, the record must include the information as to the amount of alcoholic beverages that were delivered, the date and time of delivery, and the signature of the person receiving the delivery. If such signature is illegible, the licensee is required to have the patron print his or her name under said signature. Such records must be maintained for a period of not less than one year from the last entry therein and must be available to the Licensing Board and its agents for inspection at any time in a form suitable for easy inspection.

B. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which the sale of alcoholic beverages not for consumption on premise are sold. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

C. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

D. Physical Plant

The store layout shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No amusement devices such as electronic games shall be permitted on any licensed premises. Licensed premises shall not allow in more than one-third of windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

E. Service and Employee Training

An up-to-date list of all employees shall be available on the premises at all times for review by authorized agents of the Board. Any employee making a sale of alcoholic beverages must be at least twenty-one (21) years of age and provide a C.O.R.I. report. The Board in its sole discretion shall make judgments as to whether any violation warrants disapproval.

An employee education and training program on the proper procedures for verifying that patrons are at least 21 years of age and not intoxicated shall be provided by the licensee. A written description of such program, along with a written policy outlining the employees' responsibilities and the disciplinary measures which will be taken against any employee for violating said policy, shall be filed with the Board and be maintained on the premises at all times. A signed certification of each employee, indicating that the employee has received the described training and has reviewed and understands the written policy describing his or her responsibilities and the disciplinary action which will be taken for violations, shall be maintained on the premises at all times. Copies of all such documents and certifications shall be available to the licensing authority, or any authorized agent thereof, upon demand.

No alcoholic beverages shall be sold to anyone under twenty-one (21) years of age or any intoxicated person. Signage indicating, "If you look under 30 years of age, you will be carded" shall be conspicuously displayed. Only an original driver's license with photograph or a Massachusetts Liquor Purchase identification Card shall be accepted as proof of age.

F. Sampling

No licensee, manager, server, agent, or employee shall knowingly permit such consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, except for "sample tasting" as set forth in G.L. c. 138 sec. 15, including limitations on samples set forth therein.

IV. Status of License

A. Exercise of License

Once a license is granted under these Policies, Rules, and Regulations, the licensee shall commence construction or alteration of the licensed premises within forty-five days and shall be in full operation within four months, unless a longer period is authorized by the Board. Thereafter, the licensee shall operate the licensed premises continuously in accordance with the terms of the license. Closing of the licensed premises for seven consecutive days or for any ten days during the calendar year (other than outside the establishment's normal business hours) without prior written approval of the Board shall be considered abandonment of the license and sufficient grounds for revocation.

All licenses and permits issued by the Town shall be displayed on the premises in a conspicuous place where the public has access and may read.

B. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages not to be consumed on the premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may result in

additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was sold alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license.

In fixing the penalty for sales to underage individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underage individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underage purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

B. Transfers

Licenses granted under these Policies, Rules, and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission. *Assignment of stock in incorporated licensed places for the purpose of safeguarding the assignee on loans, etc., gives no right to such assignee to conduct the business of the licensee; therefore, licensees must notify the Board immediately when the assignee forecloses under such assignment of stock.*

Special (One-Day) Liquor License Policy

Approved: 6/7/10

Revised: 4/12/12

Revised: 1/12/15

1. A one-day “special” license for the sale of **wine & malt only beverages** may be granted to the responsible manager of any indoor or outdoor (see #2) activity or enterprise.
A one-day “special” license for the sale of **all alcoholic beverages** may be granted to the responsible manager of any non-profit organization conducting any indoor or outdoor (see #2) activity or enterprise.
2. Sale and consumption are limited to inside of the premises, with the exception of Town Hall and Whittemore Robbins House events, which shall permit sale and consumption in designated areas of the Town Hall Garden and Whittemore Robbins Gardens respectively. If allowed by Board vote, outdoor sale and consumption may occur only in a defined outside area away from public ways.
3. Consistent with Section 14 of Massachusetts General Laws Chapter 138, a responsible manager and alternate should be named by the organization, one of whom shall be on the premises at all times during the day(s) in question. The responsible manager must be at least 21 years of age. The name(s) and 24-hour contact information shall be on file with the Office of the Board of Selectmen and Police Services Division.
4. The Local Licensing Authority (Board of Selectmen) may impose reasonable conditions and limitations on any special license that is granted, including but not limited to the hours of operation and the presence of a police detail(s).
5. **Security.** The applicant must present a security plan to the Arlington Police Department before filing this application. This security plan must include provisions for:
 - crowd control,
 - dealing with unruly patrons,
 - emergency evacuations,
 - traffic/parking considerations, and
 - controlling access to alcohol by underaged persons.

Unless circumstances warrant otherwise, the security plan will require one police officer for an event that 150 people are expected to attend and two officers for an event that 300 or more people are expected to attend. *The Chief of Police, Operations Commander, or their designee (see attached Town Hall Events-Bar Requirements Sheet) must sign off on this application as to the security plan for the event **before** the application is filed with the Board of Selectmen.* Moreover, applicants must demonstrate that people who will be serving alcoholic beverages are at least 21 years of age and that at least one person who will be staffing each point of service of alcoholic beverages has certification in TIPS or comparable safety training.

6. Unless otherwise voted by the Board of Selectmen, each special license shall cover a single activity or enterprise.

- a. A special license generally is granted for a single day only. The special license may be granted for more than one day at a time **only** if the activity or enterprise spans more than one day.
 - b. The fee for a special license shall be charged on a per-day basis.
- 7. The Board reserves the right to decline to consider any application filed later than 21 days before the proposed event. The Board may require the filing of references by the applicant at its discretion.
- 8. Organizers of any event requiring a one-day "special" liquor license must comply with state statutory and regulatory requirements, which can be found on the website of the Alcoholic Beverages Control Commission: WWW.MASS.GOV/ABCC. See Chapter 138, Section 14, of the Massachusetts General Laws and 204 C.M.R. 7.00. If necessary, organizers should consult private counsel to ensure compliance with these legal requirements.

Rules and Regulations for Licenses for the Sale of Wine and Malt Beverages to be Consumed on the Premises in the Theaters

Approved: 5/21/12

Revised: 1/12/15

I. GENERAL CONDITIONS

A. Conditions of Licensure: Compliance with Legal Requirements

Licenses for the sale of wine and malt beverages are subject to these Rules and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of licensed premises, including but not limited to the State Building Code, Fire Code, and Common Victualler and/or Food Vendor License requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation.

B. Application Process

1. **Forms:** Application for a license to sell alcoholic beverages for consumption on the premises requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application.

2. Fees:

- (a) **filing fee:** A non-refundable filing fee of \$100 must be submitted with each application;

- (b) license fees: The amount of annual license fees shall be tiered based on the number of days per year that the applicant expects to be open, as follows:

up to 50 days	\$ 750.00
50-99 days	\$1,250.00
100 days or more	\$1,750.00

For purposes of calculating the applicable annual license fee, any portion of a day or evening during which the applicant's establishment is open to the public for a movie showing, live performance, or other entertainment will be counted as one day.

By vote of the Board, this annual fee may be prorated for licenses granted after January 1.

The Board will reduce the annual license fee by \$200 for applicants who demonstrate successful completion of a certified server-training program.

- (c) The Board reserves the right to adjust any of the fees listed above from year to year.

- (d) form of payment: All payments must be made by certified or personal check.

3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;

- (a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including dining rooms, function rooms, and storage rooms;

- (b) The location of any proposed service bars;

- (c) Moveable or secured seats and tables;

- (d) Entrance and exit doors, windows, and stairs; and

- (e) All rooms that are not requested to be licensed, but are on the same floor as the room or rooms that are requested to be licensed, identified as to function (e.g., kitchen, coatroom, lobby).

4. Corporate Ownership and Interest:

- (a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote

appointing the manager or other principal representative with respect to the license being requested.

- (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board.
- (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.

5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

C. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application.

D. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which alcoholic beverages are offered for sale. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at

all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

E. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

F. Physical Plant

The location of service bars shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No premises will be licensed unless adequate and appropriate toilet facilities are available to patrons. All licensed establishments shall have suitable appliances to maintain water temperature consistently at 180° so that eating, drinking, cooking, and serving utensils are thoroughly cleaned and sanitized. Licensed premises shall not allow in windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

G. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the premises; any violation of these Rules, and Regulations; or any violation of the conditions attached to any license granted under these Rules and Regulations may result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.

In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underaged purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

3. Compliance Checks: Theaters holding licenses for the sale of wine and malt beverages shall be subject to alcohol compliance checks to the extent permitted by law and to the same extent as any other licensee for the sale of alcoholic beverages to be consumed on or off the premises within the Town.

H. Transfers

Licenses granted under these Rules and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission.

II. SPECIAL CONDITIONS FOR THEATERS

A. Theater Venues Eligible for License to Sell Wine and Malt Beverages

A license for the sale of wine and malt beverages to be consumed on the premises may be granted to any privately operated enclosed entertainment facility with a minimum seating capacity of 100 that is used primarily for the presentation of motion pictures or dramatic, comedic, or musical performances.

B. Hours of Sale

Sales of wine and malt beverages shall be permitted during regular hours of operation of the theater.

C. Who May Purchase

Wine and malt beverages may be sold only to patrons holding tickets for a movie, performance, or other entertainment to be presented in the licensed establishment on the date and at the approximate time of the sale.

D. Limit on Sales

No patron may be served more than two wine or malt beverages per day. No more than two wine or malt beverages may be purchased by a patron at one time. No pitchers of beer or bottles or carafes of wine shall be served. Only alcoholic beverages sold on the licensed premises shall be consumed on the premises: no patron shall be permitted to bring alcoholic beverages purchased off-site onto any licensed premises for consumption. All alcoholic beverages purchased on the premises shall be consumed on the premises.

E. Place of Sales, Consumption

Wine and malt beverages may be sold only from one dedicated counter area. Once purchased, wine and malt beverages may be brought into any area of the theater in which food and non-alcoholic beverages are allowed to be consumed. Alcoholic beverages may not be served outside the licensed premises.

Sale of Wine at Farmers' Markets

Approved: 1/12/15

In 2010, the state authorized the sale of sealed bottles of wine by licensed farmer-wineries for consumption off the premises at "agricultural events" designated by the state Department of Agricultural Resources through Chapter 138 Section 15F.

Section 15F. Notwithstanding any other provision of chapter 138, in any city or town wherein the granting of licenses to sell wine is authorized under this chapter, the local licensing authority may issue to an applicant authorized to operate a farmer-winery under section 19B or in any other state, a special license for the sale of wine produced by or for the licensee in sealed containers for off-premise consumption at an indoor or outdoor agricultural event. All sales of wine shall be conducted by an agent, representative, or solicitor of the licensee to customers who are at least 21 years of age. A licensee under this section may provide, without charge, samples of wine to prospective customers at an indoor or outdoor agricultural event. All samples of wine shall be served by an agent, representative, or solicitor of the licensee to individuals who are at least 21 years of age and all samples shall be consumed in the presence of such agent, representative, or solicitor of the licensee; provided, however, that no sample shall exceed one (1) ounce of wine and no more than 5 samples shall be served to an individual prospective customer. For the purposes of this section, the term "agricultural event" shall be limited to those events certified by the department of agricultural resources as set forth in this section.

An applicant for a special license under this section shall first submit a plan to the department of agricultural resources that shall demonstrate that the event is an agricultural event. The plan shall include a description of the event, the date, time and location of the event, a copy of the operational guidelines or rules for the event, written approval that the prospective licensee has been approved as a vendor at the event, including the name and contact information of the on-site manager, and a plan depicting the premises and the specific location where the license will be exercised.

Upon review of the plan, the department may certify that the event is an agricultural event; provided, however, that in making that determination, the department shall consider the following factors: (i) operation as a farmers' market or agricultural fair approved or inspected by the department; (ii) frequency and regularity of the event, including dates, times and locations; (iii) number of vendors; (iv) terms of vendor agreements; (v) presence of an on-site manager; (vi) training of the on-site manager; (vii) operational guidelines or rules, which shall include vendor eligibility and produce source; (viii) focus of event on local agricultural products grown or produced within the market area; (ix) types of shows or exhibits, including those which are described in clause (f) of the first paragraph of section 2 of chapter 128; and (xi) sponsorship or operation by an agricultural or horticultural society organized under the laws of the commonwealth, or by a local grange organization and/or association whose primary purpose is the promotion of agriculture and its allied industries. The department of agricultural resources may promulgate rules and regulations necessary for the operation, oversight, approval, and inspection of agricultural events under this section.

An applicant for a license under this section shall file with the local licensing authority along with its application proof of certification from the department of agricultural resources that the event is an agricultural event. A special license under this section shall designate the specific premises, and dates and times covered. A special license may be granted for an indoor or outdoor agricultural event which takes place on multiple dates and/or times during a single calendar year but no special license shall be granted for an agricultural event that will not take place within 1 calendar year. The special license shall be displayed conspicuously by the licensee at the licensed premises. A copy of a special license granted by the local licensing authority shall be submitted by the authority to the commission at least 7 days prior to the date the agricultural event is first scheduled to begin. The local licensing authority may charge a fee for each special license granted, but such fee shall not exceed fifty \$50. A special license granted under this section shall be nontransferable to any other person, corporation, or organization and shall be clearly marked nontransferable on its face.

The commission may promulgate rules and regulations it deems appropriate to effectuate the purposes of this section.

Rules and Regulations for Caterer's Licenses

Approved: 1/12/15

Effective October 31, 2012, the legislature authorized a new type of annual, all alcoholic beverages license called the "Caterer's License." On August 1, 2012, the Governor approved Chapter 190 of the Acts of 2012 that created a new license Caterer's License pursuant to M.G.L. c.138, §12C. The Alcoholic Beverages Control Commission (ABCC) is responsible for issuing the license directly to a catering business for an annual fee of \$1500.00. There is no local involvement. A caterer's license authorizes the licensee to store, transport, sell and deliver alcoholic beverages in the ordinary course of the licensee's business. Alcoholic beverages may be stored only on the premises owned by the licensee or that the licensee has the exclusive right to occupy. An applicant who seeks a Caterer's License must also apply for a Transportation Permit, which the ABCC also issues directly for a fee of \$150.00.

The Caterer's License is an on-premises license, which allows a caterer to sell alcoholic beverages at private events (never at the caterer's principal place of business) for no more than five hours in a city or town that allows on-premises licensees under M.G.L. c. 138, §12. Licensed Caterer's cannot sell or deliver alcoholic beverages at events which occur in a licensed premises, i.e. a restaurant, hotel, club, etc.

In addition, the licensed caterer must:

- Purchase its inventory of alcoholic beverages from licensed wholesalers
- Maintain liquor liability insurance in a minimum amount of \$250,000.00/\$500,000.00
- Only permit individuals who have been certified by a nationally recognized alcoholic beverages server training program to serve alcoholic beverages
- At least 48 hours before any private event:
 - (a) notify the police chief and the local licensing authority that the licensed caterer will be serving alcoholic beverages in the city/town;
 - (b) provide a copy of the caterer's license to the police chief and the local licensing authority; (c) provide proof of insurance to the police chief and the local licensing authority; and
 - (d) provide an emergency contact number for the license manager to the police chief and the local licensing authority.

Rules and Regulations for Club Licenses

Approved: 1/12/15

Application Procedures

1. Club license applications to be filed in duplicate with Board of Selectmen. (Information therein to be typed or printed in ink.) Application to indicate whether veterans' organization or club.
2. Following to be submitted with application:
 - (a) License fee - \$100.00 (check made payable Town of Arlington).
 - (b) Copy of Club Charter, also a copy of current membership list as of January 1.
 - (c) Copy of House Rules.
 - (d) The full names and residence addresses of the President, Treasurer, Clerk, Secretary, Directors and Manager, or other Principal Representatives of the organization.
 - (e) A copy of the vote, of the Board of Directors, or other similar body certified by the Clerk or Secretary of the organization, specifically authorizing the officer, who shall be identified by name and residence address, to sign the application for the license on behalf of the organization.
 - (f) A certified copy of the vote of the Board of Directors or other similar body, appointing a person who shall be identified by name and residence address to act as Manager or other Principal Representative.
 - (g) Certified copy of minutes of the last meeting of the membership of the organization prior to the date of application.
3. Selectmen shall cause a notice thereof to be published, at the expense of the application, within ten (10) days of receipt of application.
4. Applicant shall, within three (3) days after publication, cause a copy of the notice, attached to club stationery, to be sent by registered mail, return receipt requested, to each abutting property owner, and to any school, church or hospital located within a radius of five hundred (500) feet. Town Engineer to supply names and addresses of abutters and any school, church or hospital within five hundred (500) feet. Following statements to appear on notice sent to any school, church or hospital "As required by Chapter 138, Section 15A of the General Laws your attention is directed to the necessity of written objection to prevent the issuance of the license referred to in the above-captioned legal notice."
5. "An affidavit of the applicant or of the person mailing such notice on his or her behalf, together with an attested copy of the notice mailed, shall be filed in the office of the licensing authority." Affidavit to be made on appropriate place on application form. Registered mail return receipts are to be filed with Selectmen.
6. The Selectmen shall cause an examination to be made of the premises. (Section 12 of Chapters 138 G.L.)

7. The Selectmen shall schedule a public hearing ten days after the publication of such notice.
8. Application shall be granted or dismissed by the selectmen not later than thirty (30) days after filing; and if favorably acted upon by the Selectmen it shall be submitted for approval by the Commission not later than three days following such favorable action. Licenses shall be issued not later than seven (7) days following receipt of notice of approval from Commission (Section 16B of Chapters 138 G.L.)

Club Operation & Service Regulations

1. THE LICENSE IS SUBJECT TO GENERAL LAW 138 AND THE REGULATIONS OF THE ALCOHOLIC BEVERAGES CONTROL COMMISSION AS WELL AS REGULATIONS, GENERAL OR SPECIFIC, MADE AT ANY TIME BY THE BOARD OR SELECTMEN.
2. Unless otherwise fixed for a particular license, club licensees may sell alcoholic beverages for consumption on the premises between the hours of 11:00 a.m. and 1:00 a.m. daily.
3. The licensee shall furnish the name and address of the club, also the Manager's name, address and telephone number, to the Board of Selectmen, Chief of Police and Chief of the Fire Department. Any change in location or of manager must be reported without delay to the Board of Selectmen, the Chief of Police and the Chief of the Fire Department.
4. Club licensee shall have a bartender or manager in charge during open hours who is of good moral character and a responsible type of person. He/She shall be held accountable for keeping order.
5. The bartender or manager shall be responsible for the conduct of its members and guests in the licensed premises. He/She shall prevent undue noise and disturbance to the neighborhood.
6. The bartender or manager shall refuse to serve a member or guest who is approaching a condition of "under the influence."
7. The bartender or manager shall make an effort to prevent a member or guest from operating a motor vehicle if said member or guest appears to be "under the influence."
8. The bartender or manager shall refuse to serve any member or guest under the legal age. When in doubt of age, the bartender shall require the showing of identification cards in accordance with Chapter 138, Section 34B of the General Laws.
9. No member, guest or employee shall be served alcoholic beverages after legal hour of sale of same.

10. No person is allowed in that area of the building where alcoholic beverages are served between the hours of 1:00 A.M. and 6:00 A.M, except persons whose names have been posted with the Chief of Police who may be present for custodial purposes.
11. No alcoholic beverages shall be taken from the building.
12. No licensee shall sell alcohol beverages in any part of the premises not specified on this license.
13. The licensed premises must be well lighted at all times.
14. There shall be no indecent or immoral entertainment on the licensed premises.
15. Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.

16A. REGULATION ON LICENSING OF AUTOMATIC AMUSEMENT DEVICES

The Application for a license of an Automatic Amusement Device or Devices at any Club or Non-Profit Organization shall not be considered by the Board of Selectmen until a vote of the membership is taken.

Prior to the vote being taken, all members of the Club or Organization shall be notified in writing. The notice shall specify "the type of machine and the name of the machine being considered". The notice shall also state that "According to the Rules and Regulations of the Board of Selectmen, no gambling or payoff on any type of automatic amusement device is allowed. If any Club or Non-Profit Organization is found to be making payoffs which are illegal and constitute illegal gambling, after a Public Hearing, at which it is substantiated that illegal gambling did take place, the Club or Organization may be subject to temporary or permanent loss of their All Alcoholic Beverage License". (Adopted 7/28/86)

16. Membership. (i.e. Associate Membership or equivalent type) in licensed clubs, other than regular membership, shall be subject to the approval of the Board of Selectmen.
17. The licensed premises shall be subject, at all times, to inspection by members of the Board of Selectmen, their Executive Secretary, Town Manager, Board of Health or their representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Selectmen.
18. Violations

- a. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on club premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the club premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may

result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

- b. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

- c. This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.
- d. In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:
 - (i) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
 - (ii) severity and type of offense;
 - (iii) efforts made to identify purchasers of alcohol;
 - (iv) appearance of the underaged purchaser of alcohol;
 - (v) quality of the evidence of a violation;
 - (vi) circumstances of the case; and
 - (vii) number and nature of licensee's previous violations.

- 19. The Board of Selectmen reserves the right to amend these rules and regulations any time without prior notice.



**Town of Arlington
Legal Department**

Douglas W. Heim
Town Counsel

50 Pleasant Street
Arlington, MA 02476
Phone: 781.316.3150
Fax: 781.316.3159
E-mail: dheim@town.arlington.ma.us
Website: www.arlingtonma.gov

To: Board of Selectmen

Cc: Adam Chapdelaine, Town Manager
Frederick Ryan, Chief of Police
Christine Connolly, Director of Health and Human Services

From: Douglas Heim, Town Counsel

Date: June 13, 2017

**Re: 2017 Alcohol Compliance Checks Violation Hearings – Zhu’s Garden, Duet,
Arlington Liquors, and Prime, Your Local Butcher.**

On February 27 and 28, 2017, and again on March 8, 2017, the Arlington Police Department conducted comprehensive rounds of alcohol compliance checks on approximately thirty-three (33) Arlington establishments licensed to sell alcoholic beverages (27 restaurants, 1 theatre, and 5 package stores) as part of its 2017 Alcohol Compliance Check operations. The operation is detailed in Incident Reports Nos. 17005217, 17005303, and 17006003, copies of which are attached hereto. Two (2) of the tested restaurants, and two (2) of the tested package stores failed the compliance checks by serving alcoholic beverages to underage operatives who

volunteered for the Police Department's compliance operation in conjunction with the Arlington Youth and Safety Coalition.

The establishments found to have served/sold beverages to the operatives as detailed in the Incident Reports are as follows:

- Zhu's Garden
166 Massachusetts Avenue;
- Duet
190 Massachusetts Avenue;
- Arlington Liquors
94 Summer Street; and
- Prime, Your Local Butcher
1398 Massachusetts Avenue

Each of the licensed establishments which failed the compliance checks were notified by first-class mail and certified mail, return receipt requested, to appear at the Board's June 5, 2017 Hearing concerning the alleged violations, and subsequently notified of a postponement until the Board's June 19, 2017 meeting, where three of the four violations will be heard (Prime, Your Local Butcher will appear before the Board of Selectmen at their regular meeting on July 24, 2017).

The events set forth in the attached incident reports, if true, demonstrate violations of the state liquor licensing law and the regulations of the Alcohol Beverages Control Commission ("ABCC"). Specifically, Section 34 of Chapter 138 prohibits the sale or delivery of alcoholic beverages to a person under 21 years of age. The ABCC regulation located at 204 C.M.R. 2.05(2) further prohibits any illegality (such as a violation of Section 34) on licensed premises.

If after a hearing, the Board concludes that violations of the law occurred, it may decide to "modify, suspend, revoke, or cancel" the liquor license of these four establishments. See G.L.

c. 138, § 23. Upon information and belief, none of the establishments at issue previously failed APD compliance check operations. As such, the Board's Alcohol Licenses Policies, Rules, and Regulations (revised on July of 2016), suggests (but does not dictate) a 3-5 day license suspension for a first offense for service of alcohol to an underage person.

Moreover, as the Board may recall, Arlington Liquors is currently on probation (until November 30, 2017), having been issued a 5-day suspension held in abeyance during its probation for a separate violation of G.L. c. 138 sec. 64 and/or 204 C.M.R. 2.05(2) of a different nature (a February 2016 incident involving possession of marijuana on the premises). By the terms of its probation any finding of a violation by Arlington Liquors will automatically trigger a 5-day suspension to begin on a Friday, *in addition to any other penalty the Board metes out for this new violation.*

If the Board does decide to suspend these licenses, I note that under the Board's policy, the suspensions should begin on the same day of the week as the offense occurred following the Board's approval of a written decision developed by this Office.¹

¹ With respect to Arlington Liquors, permit me to note that the Board has latitude to decide whether the package store would serve one consecutive suspension including the 5 days held in abeyance (i.e., 8 to 10 consecutive days beginning either on the day of their 2016 violation or the day of their most recent violation) or two separate suspensions of 5 and 3-5 days respectively. Alternatively the Board also has discretion to issue a lengthier suspension, or a modification, or revocation of their license as the Board deems appropriate.

**ARLINGTON POLICE
ARLINGTON, MA****INCIDENT # / REPORT #**
17005217 / 1**OFFICER**
PORCIELLO**RANK**
INSP**REVIEW STATUS**
APPROVED**INCIDENT #17005217 DATA**

As Of 02/28/2017 08:04:46

BASIC INFORMATION**CASE TITLE**
ALCOHOL COMPLIANCE CHECKS**LOCATION**
112 MYSTIC ST**APT/UNIT #****DATE/TIME REPORTED**
02/27/2017 18:59:17**DATE/TIME OCCURRED**
On or about 02/27/2017 18:59**INCIDENT TYPE/OFFENSE**
ASSIST

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005217 - 1 / PORCIELLO (INSP)**DATE/TIME OF REPORT**
02/27/2017 18:59:17**TYPE OF REPORT**
INCIDENT**REVIEW STATUS**
APPROVED**NARRATIVE**

On February 27, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. Prior to conducting the checks both operatives were breath tested using the portable breath test. The male blew a 0.00 (test 103) and the female also blew a 0.00 (test 104). The operatives were photographed and provided me with parental releases. They were given a copy of the recommended guidelines for conducting underage sting operations. They both read, understood and signed the recommended guidelines. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplant from the Arlington

Youth and Safety Coalition provided us with 100 dollars to conduct the compliance checks. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following are the restaurants/businesses that were closed.

- Noodle Market located at 470-472 Mass Ave.
- Punjab Fine Indian Cuisine located at 485-487 Mass Ave.
- Sabzi located at 352A Mass Ave.
- Commune Kitchen located at 203 A&B Mass Ave.
- Little Q Pot & Szechuan House located at 196 Mass Ave.
- Ristorante Olivio located at 193-201 Mass Ave.
- Sugo Cuicina Italiano located at 164 Mass Ave.
- Arlington Restaurant and Diner located at 134 Mass Ave.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

- At 5:02PM the operatives entered Menotomy Grill and Tavern located at 25 Mass Ave. No alcohol was served.
- At 5:08PM the operatives entered Spy Pond Beer & Wine (Giles Wine and Spirits) located at 137 Mass Ave. no alcohol was sold.
- At 5:11PM the operatives entered Za located at 138 Mass Ave. No alcohol was served.
- At 5:57PM the operatives entered Otto located at 202 Mass Ave. No alcohol was served.
- At 6:21PM the operatives entered Acitron located at 473 Mass Ave. No alcohol was served.
- At 6:28PM the operatives entered Tango located at 464 Mass Ave. No

alcohol was served.

-At 6:31PM the operatives entered Singh Saab Fine Indian located at 444 Mass Ave. No alcohol was served.

-At 6:34PM the operatives entered Shanghai Village located at 434-436 Mass Ave. No alcohol was served.

-At 4:43PM the operatives entered Menotomy Beer and Wine located at 80 Broadway. No alcohol was sold.

-At 4:51PM the operatives entered Fusion Taste located at 303A-305 Broadway. No alcohol was served.

-At 4:53PM the operatives entered the Common Ground located at 319 Broadway. No alcohol was served.

The following is a list of the compliance checks that resulted IN A VIOLATION with a brief description of the violation.

-At 5:19PM the operatives entered Zhu's Garden located at 166 Mass Ave. At 5:25PM the operatives exited Zhu's Garden and returned to our vehicle. The operatives informed us that they were seated inside and had an Asian woman wearing black clothing as a server. The operatives ordered 2 Peak Fresh Cut beers and were served the alcohol. The total cost of the purchase was \$10.70. The operatives provided me with the receipt and the change which amounted to \$9.30. Myself and Detective Sergeant Gallagher entered Zhu's Garden, observed that there were no other customers in the restaurant and spoke to the manager now known to us as Bowei Zhu. Zhu acknowledged the sale and directed me to the server who identified herself as Fanguyan Chen. Chen acknowledged that she had served the two operatives.

-At 5:34PM the operatives entered Duet located at 190 Mass Ave. At 5:41PM the operatives exited Duet and returned to our vehicle. The operatives informed us that they sat at the restaurant's bar and ordered 2 Kronenbourg 1664 beers and were served the alcohol. The total cost of the purchase was \$12.84. The operatives provided me with a receipt and the change which amounted to \$7.16. They reported that the bar tender was a white male who was approximately 6'00" with an average build. The bar tender informed the operatives of upcoming wine tastings. After receiving their receipt they left the restaurant. Myself and Detective Sergeant

Gallagher entered Duet, observed 1 couple seated at a table and 1 man at the bar. We met the manager at the greeting booth and informed her that there had been an alcohol violation and 2 underage operatives were served alcohol at the bar. I was directed to the bar where I met the bar tender who identified himself as Tim Hurlburt. It should be noted that the receipt lists the server as Timothy H. Hurlburt acknowledged the sale to the two operatives. He stated, "I didn't ID them, my fault."

It should be noted that the serves were never witnessed by Inspectors and were reported to us by the operatives.

Once back at the station the 2 receipts from Zhu's Garden and Duet were bagged as evidence together. The evidence bag was then secured in evidence locker 9. The operatives were again breath tested using the portable breath test. The male blew a 0.00 (test 105) and the female also blew a 0.00 (test 106). The operative's property was returned.

**ARLINGTON POLICE
ARLINGTON, MA****INCIDENT # / REPORT #**
17005303 / 1**OFFICER**
PORCIELLO**RANK**
INSP**REVIEW STATUS**
APPROVED**INCIDENT #17005303 DATA**

As Of 03/02/2017 08:02:10

BASIC INFORMATION**CASE TITLE**
ALCOHOL COMPLIANCE CHECKS**LOCATION**
112 MYSTIC ST**APT/UNIT #****DATE/TIME REPORTED**
02/28/2017 18:48:30**DATE/TIME OCCURRED**
On or about 02/28/2017 18:48**INCIDENT TYPE/OFFENSE**
ASSIST

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005303 - 1 / PORCIELLO (INSP)**DATE/TIME OF REPORT**
02/28/2017 18:48:30**TYPE OF REPORT**
INCIDENT**REVIEW STATUS**
APPROVED**NARRATIVE**

On February 28, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. Prior to conducting the checks both operatives were breath tested using the portable breath test. The female blew a 0.00 (test 107) and the male also blew a 0.00 (test 108). The operatives were photographed and provided me with parental releases. They were given a copy of the recommended guidelines for conducting underage sting operations. They both read, understood and signed the recommended guidelines. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplant from the Arlington

Youth and Safety Coalition provided us with 100 dollars to conduct the compliance checks on the previous evening and the remaining money was used to conduct the compliance checks on today's date. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

-At 4:59PM the operatives entered Sono located at 469 Summer St #3&4. No alcohol was served.

-At 5:32PM the operatives entered Scutra located at 92 Summer St. No alcohol was served.

-At 5:08PM the operatives entered Not Your Average Joes located at 645 Mass Ave. No alcohol was served.

-At 5:15PM the operatives entered Thai Moon located at 663 Mass Ave. No alcohol was served.

-At 5:17PM the operatives entered Pasha Mediterranean located at 669A Mass Ave. No alcohol was served.

-At 5:20PM the operatives entered Tryst located at 689 Mass Ave. No alcohol was served.

-At 5:25PM the operatives entered Mr. Sushi located at 693 Mass Ave. No alcohol was served.

-At 5:53PM the operatives entered Toraya located at 890 Mass Ave. No alcohol was served.

-At 6:00PM the operatives entered the Mystic Wine Shoppe located at 901 Mass Ave. No alcohol was sold.

-At 6:06PM the operatives entered Jimmy's Steer House located at 1111 Mass Ave. No alcohol was served.

-At 6:13PM the operatives entered Szechuan's Dumpling located at 1360 Mass Ave. No alcohol was served.

-At 6:18PM the operatives entered Thai E-Sarn located at 1377-1381 Mass Ave. No alcohol was served.

-At 6:35PM the operatives entered Nina Trattoria & Pizzeria located at 1510 Mass Ave. No alcohol was served. It should be noted that this restaurant has not begun selling beer and wine.

The following is a list of the compliance checks that resulted IN A VIOLATION with a brief description of the violation.

-At 4:48PM the operatives entered Arlington Liquors located at 94 Summer St. At 4:50PM the operatives exited Arlington Liquors and returned to our vehicle carrying a six pack of 12 ounce Bud Light cans. The operatives informed us that the cashier sold them the six pack while failing to ask for identification. The operatives provided us with the sales receipt which documented that their purchase of the six pack amounted to \$7.00. The operatives returned the \$13.00 in change. They described the cashier as being a male with dark hair and having a tanned complexion. I entered Arlington Liquors and spoke to the cashier who identified himself as Almaz Imanlieve. I identified myself as an Arlington Police Detective and informed him that he sold a six pack to 2 underage operatives. Almaz acknowledged the sale and reported that he thought he had seen them in the business in the past.

-At 6:21PM the operatives entered Prime, Your Local Butcher located at 1398 Mass Ave. At 6:23 the operatives exited Prime, Your Local Butcher carrying a six pack of 12 ounce Heineken bottles. The operatives informed us that the cashier sold them the six pack while failing to ask for identification. The operatives provided us with a sales receipt which documented that their purchase of the six pack amounted to \$10.99. The operatives returned the \$9.01 in change. The cashier was described as a white male in his twenties with curly brown hair. As we were seated in the car an employee exited the business carrying trash. The operatives identified the employee as being the cashier who sold them the six pack. I then entered the business and spoke to the manager now known to me as Scott Carta. I identified myself as an Arlington Police Detective and informed Carta that a violation had occurred. I then directed Carta's attention to an employee who had been identified by the operatives as selling the six pack. Carta reported that the employee's name is James Cerone. We were able to speak to Cerone who acknowledged selling the six pack of Heineken without asking for identification.

It should be noted that the serves were never witnessed by Inspectors and were reported to us by the operatives.

Once back at the station 2 receipts from Arlington Liquors and Prime, Your Local Butcher were bagged as evidence together. The Bud Light six pack (12 oz cans) and the Heineken six pack (12 oz bottles) were tagged as evidence separately. The evidence bag containing the receipts and the 2 tagged six packs were then secured in evidence locker 3. The operatives were again breath tested using the portable breath test. The female blew a 0.00 (test 109) and the male also blew a 0.00 (test 110). The operative's property was returned. It should be noted that the tagged evidence indicates that the evidence was placed in locker 7. However, locker 7 was not operating correctly and the evidence was then placed in locker 3.

The remaining \$58.47 will be returned to Ivy Laplant.

**ARLINGTON POLICE
ARLINGTON, MA**INCIDENT # / REPORT #
17006003 / 1OFFICER
PORCIELLORANK
INSPREVIEW STATUS
APPROVED**INCIDENT #17006003 DATA**

As Of 03/09/2017 07:52:57

BASIC INFORMATIONCASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION

112 MYSTIC ST

APT/UNIT #DATE/TIME REPORTED

03/08/2017 18:02:16

DATE/TIME OCCURRED

On or about 03/08/2017 18:02

INCIDENT TYPE/OFFENSE

ASSIST

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17006003 - 1 / PORCIELLO (INSP)DATE/TIME OF REPORT

03/08/2017 18:02:16

TYPE OF REPORT

INCIDENT

REVIEW STATUS

APPROVED

NARRATIVE

On March 8, 2017, I, Inspector Porciello along with Detective Sergeant Gallagher conducted alcohol compliance checks of restaurants and businesses licensed to sell and/or serve alcohol in Arlington. We worked with 2 juvenile operatives. One operative was a male party and the second operative was a female. The operatives were the same that were used in alcohol compliance checks assigned to incident numbers 17005217 and 17005303. Prior to conducting the checks both operatives were breath tested using the portable breath test. The female blew a 0.00 (test 111) and the male also blew a 0.00 (test 112). The operatives were then photographed. Both parties removed all money and forms of identification from their possession and we secured the items and money in a gun locker with the Criminal Investigations Bureau. Ivy Laplante of the Arlington Youth and Safety Coalition had previously supplied us with money for past

compliance checks. The remaining \$58.47 was used on today's date. The operatives were provided with 20 dollars prior to entering any restaurant/business.

The following is a list of restaurants/businesses that were open and compliance checks were completed resulting in NO VIOLATIONS.

-At 4:28PM the operatives entered the Commune Kitchen located at 203 A&B Broadway. No alcohol was served.

-At 4:43PM the operatives entered Sugo Cucina Italiana located at 164 Mass Ave. No alcohol was served.

-At 5:07PM the operatives entered Little Q Pot-Szechuan House located at 196 Mass Ave. No alcohol was served.

-At 5:12PM the operatives entered Ristorante Olivia located at 193-201 Mass Ave. No alcohol was served.

-At 5:15PM the operatives entered The Capital Theatre located at 204 Mass Ave. No alcohol was served.

-At 5:48PM the operatives entered Sabzi located at 352A Mass Ave. No alcohol was served.

Once back at the station the operatives were again breath tested using the portable breath test. The female blew a 0.00 (test 113) and the male also blew a 0.00 (test 114). The operative's property was returned.

The remaining \$58.47 will be returned to Ivy Laplante.

**ARLINGTON POLICE
ARLINGTON, MA**INCIDENT # / REPORT #

17005303 / 2

OFFICER

PORCIELLO

RANK

INSP

REVIEW STATUS

APPROVED

INCIDENT #17005303 DATA

As Of 03/02/2017 08:02:10

BASIC INFORMATIONCASE TITLE

ALCOHOL COMPLIANCE CHECKS

LOCATION

112 MYSTIC ST

APT/UNIT #DATE/TIME REPORTED

02/28/2017 18:48:30

DATE/TIME OCCURRED

On or about 02/28/2017 18:48

INCIDENT TYPE/OFFENSE

ASSIST

[NO PERSONS]

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 17005303 - 2 / PORCIELLO (INSP)DATE/TIME OF REPORT

02/28/2017 18:48:30

TYPE OF REPORT

SUPPLEMENT

REVIEW STATUS

APPROVED

NARRATIVE

On March 1, 2017 at approximately 15:10 hours, the Bud Light and Heineken six packs were removed from evidence, photographed and disposed of. The photographs have been attached to this report.

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE

TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

May 25, 2017

By Certified Mail, Return Receipt Requested
& By First Class Mail

Bowei Zhu
Zhu's Garden Inc. d/b/a Zhu's Garden
166 Massachusetts Avenue
Arlington, MA 02474

Licensee:	Zhu's Garden Inc., d/b/a Zhu's Garden
Licensed Premises:	166 Massachusetts Avenue
License No.:	003000015
License Type:	Restaurant Liquor License (Sale of Alcoholic Beverages to be Consumed on the Premises)
Expiration Date:	December 31, 2017

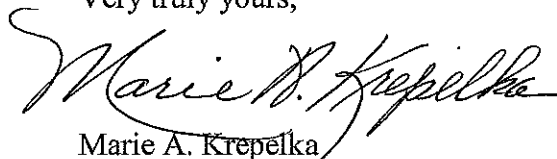
Dear Mr. Zhu:

In accordance with G.L. c. 138, §§ 23, 64, the Board of Selectmen, as the liquor licensing authority for the Town of Arlington, is hereby notifying you of its intention to hold a hearing to consider a report of underage sales on the above-referenced premises. If, following the hearing, the Board concludes that the alleged violations occurred, it may impose sanctions, including but not limited to modification, suspension, revocation, or cancellation of the above-referenced license. The hearing has been re-scheduled for **June 19, 2017, at 7:15 pm in the Selectmen's Chambers.**

The alleged violations occurred on or about February 27, 2017, when the Arlington Police Department conducted an alcohol compliance check on the premises. A police report describing this operation is enclosed for your information. The facts detailed in this police report would establish a violation of G.L. c. 138, § 34, which prohibits delivery of alcoholic beverages to individuals under the age of 21, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises.

If you choose, you may be represented by legal counsel at the June 19, 2017 hearing. You may also submit testimony and exhibits for the Board's consideration. If you have any administrative questions, you may contact Board staff at the number listed above.

Very truly yours,

A handwritten signature in cursive script, reading "Marie A. Krepelka". The signature is written in dark ink and is positioned above the printed name and title.

Marie A. Krepelka
Board Administrator

enc.

cc: Frederick Ryan, Chief of Police Services
Douglas W. Heim, Town Counsel

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE

TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

May 25, 2017

Delivered by hand this 25 day of May 2017, by:

J. CANIFF

A handwritten signature in dark ink, appearing to read "J. Caniff", written over a horizontal line.

Arlington Police Department

Received this _____ day of May 2017, by:

A handwritten signature in dark ink, consisting of a stylized, sweeping line, written over a horizontal line.

Zhu's Garden Owner or Manager

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE

TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

May 25, 2017

By Certified Mail, Return Receipt Requested
& By First Class Mail

Wayne A. Duprey & Cyrille Couet
W & C restaurant Corp., d/b/a Duet
190 & 192 Massachusetts Avenue
Arlington, MA 02474

Licensee: W&C Restaurant Corp., d/b/a Duet

Licensed Premises: 190 & 192 Massachusetts Avenue

License No.: 003000036

License Type: Restaurant Liquor License (Sale of Alcoholic Beverages to be Consumed on the Premises)

Expiration Date: December 31, 2017

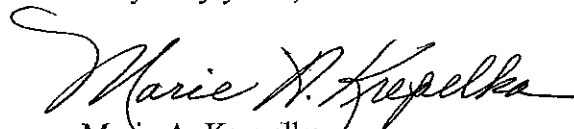
Dear Mr. Duprey & Couet:

In accordance with G.L. c. 138, §§ 23, 64, the Board of Selectmen, as the liquor licensing authority for the Town of Arlington, is hereby notifying you of its intention to hold a hearing to consider a report of underage sales on the above-referenced premises. If, following the hearing, the Board concludes that the alleged violations occurred, it may impose sanctions, including but not limited to modification, suspension, revocation, or cancellation of the above-referenced license. The hearing has been **re-scheduled** for **June 19, 2017, at 7:15 pm in the Selectmen's Chambers.**

The alleged violations occurred on or about February 27, 2017, when the Arlington Police Department conducted an alcohol compliance check on the premises. A police report describing this operation is enclosed for your information. The facts detailed in this police report would establish a violation of G.L. c. 138, § 34, which prohibits delivery of alcoholic beverages to individuals under the age of 21, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises.

If you choose, you may be represented by legal counsel at the June 19, 2017 hearing. You may also submit testimony and exhibits for the Board's consideration. If you have any administrative questions, you may contact Board staff at the number listed above.

Very truly yours,



Marie A. Krepelka
Board Administrator

enc.

cc: Frederick Ryan, Chief of Police Services
Douglas W. Heim, Town Counsel

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN




730 MASSACHUSETTS AVENUE

TELEPHONE
781-316-3020
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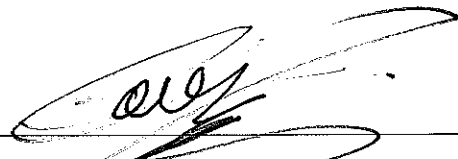
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

May 25, 2017

Delivered by hand this 25th day of May 2017, by:

J. CANNIFF 4287 
Arlington Police Department

Received this 25th day of May 2017, by:


Duet Owner or Manager

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE

TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

May 25, 2017

By Certified Mail, Return Receipt Requested
& By First Class Mail

Alexander Kushnirsky
Alexander Liquors
94B Summer Street
Arlington, MA 02474

Licensee: Arlington Liquors Store d/b/a Alexander Liquors
Licensed Premises: 94B Summer Street
License No.: 003000048
License Type: Package Store License
Expiration Date: December 31, 2017

Dear Mr. Kushnirsky:

In accordance with G.L. c. 138, §§ 23, 64, the Board of Selectmen, as the liquor licensing authority for the Town of Arlington, is hereby notifying you of its intention to hold a hearing to consider a report of underage sales on the above-referenced premises. If, following the hearing, the Board concludes that the alleged violations occurred, it may impose sanctions, including but not limited to modification, suspension, revocation, or cancellation of the above-referenced license. The hearing has been **re-scheduled** for **June 19, 2017, at 7:15 pm in the Selectmen's Chambers.**

The alleged violations occurred on or about February 28, 2017, when the Arlington Police Department conducted an alcohol compliance check on the premises. A police report describing this operation is enclosed for your information. The facts detailed in this police report would establish a violation of G.L. c. 138, § 34, which prohibits delivery of alcoholic beverages to individuals under the age of 21, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises.

If you choose, you may be represented by legal counsel at the June 19, 2017, hearing. You may also submit testimony and exhibits for the Board's consideration. If you have any administrative questions, you may contact Board staff at the number listed above.

Very truly yours,

A handwritten signature in cursive script, reading "Marie A. Krepelka".

Marie A. Krepelka
Board Administrator

enc.

cc: Frederick Ryan, Chief of Police Services
Douglas W. Heim, Town Counsel

OFFICE OF THE BOARD OF SELECTMEN

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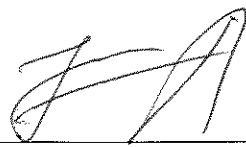
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

May 25, 2017

Delivered by hand this 25th day of May 2017, by:

J. CANNIFF 4287 
Arlington Police Department

Received this 25th day of May 2017, by:


Alexander Liquors Owner or Manager



Town of Arlington, Massachusetts

7:15 p.m. Arlmont Street (west of Highland Avenue)

Summary:

- a) Request: Repair to Private Way
 - b) Betterment Order
- Kim Cayer, Resident

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Arlmont_Street_Map_4.17.pdf	Map of Arlmont Street, west of Highland Ave.
▣ Reference Material	Engineering_Cost_Estimates.pdf	Engineering Cost Estimates
▣ Reference Material	Contractor_Proposal.pdf	Contractor Proposal
▣ Reference Material	Abutter_Project_Approval.pdf	Abutter Project Approval
▣ Reference Material	Abutter_Mailing_#1.pdf	Abutter Mailing #1
▣ Reference Material	Abutter_Mailing_#2.pdf	Abutter Mailing #2 ; Public Hearing Notice
▣ Reference Material	Betterment_Order_.docx	Betterment Order



- Pieces by Category
- Police Station
 - Fire Station
 - School
 - Public Works
 - Recreation - Facilities
 - Recreation - Fields Courts Lin
 - Recreation - Fields Courts Pol
 - Open Space - Conservation Ri
 - Open Space - Maitumman Bk
 - Open Space - Labels
 - Open Space - Outline
 - Town, State, or Private
 - Open Space - Owned and Unpin
 - Open Space - Other Town Owned
 - Percels
 - Buildings
 - MA Highways
 - US Highway
 - Numbered Routes
 - Abutting Towns
 - Town Boundary
 - Road - Class 1-4 (for Town E
 - Road - Major Road
 - Road - Local Road
 - Driveway
 - Roads - Only (for Base M
 - Roads - For High Zoom Level
 - Other Roads
 - Road2
 - Road3
 - Road4
 - Water Line
 - Water Body



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

0 210 420 ft

Printed on 04/06/2017 at 08:35 AM

Town of Arlington, MA

From: "Wayne Chouinard" <WChouinard@town.arlington.ma.us>
To: kim.cayer@gmail.com
Cc: "Fran Reidy" <FReidy@town.arlington.ma.us>, "Vinny Kilcommons" <vkilcommons@town.arlington.ma.us>
Date: 05/23/2016 10:07 AM
Subject: Arlmont Street - Betterment Cost Estimate

Hi Kim,

Attached are two cost estimates prepared for the section of Arlmont Street betterment improvement you requested. Please be aware this is an estimate only. Some of the items may not be required but we have included them just in case they may be applicable.

Your next step is to determine exactly what the residents as a group would like to have performed and are willing to pay for equivalently. Once determined you should submit a request to a group of contractors (recommend a minimum of three to provide an opportunity for a fair and competitive price). Once you receive proposals or estimates back from the contractors you must decide which contractor you would like to utilize. The estimate from this contractor will need to be provided to the Board of Selectmen to continue the process.

If any contractors have questions please feel free to forward them to me if you have difficulty answering their questions. It may also be helpful to have the selected contractor meet with you and the Engineering Division prior to submitting their final proposal to be sure everyone has the same expectations

Also attached is a list of paving contractors. These are not recommendations, just a list for you to select from. If you would like to discuss and review the items further please call me.

Thank you,

Wayne

Wayne A. Chouinard, PE

Town Engineer

Arlington Public Works

51 Grove Street

Office: (781) 316-3320

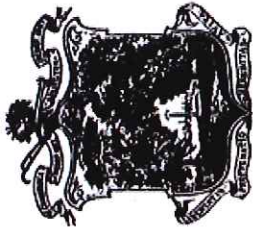
E-mail: wchouinard@town.arlington.ma.us

Attachments:

File: [Arlmont St. - Reclamation.pdf](#) Size: 27k Content Type: application/pdf

File: [Excavation Est..pdf](#) Size: 27k Content Type: application/pdf

File: [Paving Contractor List.pdf](#) Size: 11k Content Type: application/pdf



Engineering Division

**DEPARTMENT OF PUBLIC WORKS
TOWN OF ARLINGTON**

51 Grove Street

Arlington, Massachusetts 02476

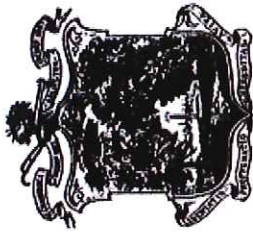
Telephone (781) 316-3320 Fax (781) 316-3281

**ARLINGTON STREET - CONSTRUCTION ESTIMATE
Asphalt Pavement Removal
MARCH 2016**

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
120	142	C.Y.	ASPHALT EXCAVATION @ 4"	\$ 30.00	\$ 4,260.00
151	215	C.Y.	GRAVEL BORROW @ 6"	\$ 20.00	\$ 4,300.00
170	1290	S.Y.	GRADING & COMPACTING	\$ 3.00	\$ 3,870.00
223	5	EA.	FRAME & COVER - REMOVE & RESET (SEWER & STR. DRN.)	\$ 275.00	\$ 1,375.00
220.1.2	2	EA.	CATCH BASIN - ADJUSTED	\$ 300.00	\$ 600.00
358.2	4	EA.	GATE BOX ADJUSTED (WATER)	\$ 175.00	\$ 700.00
381.3	1	EA.	SEVICE BOX ADJUSTED (WATER)	\$ 100.00	\$ 100.00
381.3	2	EA.	GAS BOX ADJUSTED	\$ 100.00	\$ 200.00
420	176	TON	BITUMINOUS CONCRETE BASE COURSE CLASS 1 @ 2 1/2"	\$ 100.00	\$ 17,600.00
460	107	TON	BITUMINOUS CONCRETE PAVEMENT CLASS 1 @ 1 1/2"	\$ 82.00	\$ 8,774.00
					\$ 41,779.00

Note: These costs are approximate only and were determined using pre-determined item costs specified in the current Town Paving contract. Final costs should be determined from a proposal submitted by the selected contractor. Costs may vary due to unforeseen conditions, weather related events and/or material cost fluctuations.

Note to Contractor: An 8M Permit may be required to adjust or excavate around or near MWRA infrastructure.



Engineering Division

**DEPARTMENT OF PUBLIC WORKS
TOWN OF ARLINGTON**

51 Grove Street
Arlington, Massachusetts 02476
Telephone (781) 316-3320 Fax (781) 316-3281

**ARLMONT STREET - COST ESTIMATE
Pavement Reclamation
MARCH 2016**

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
403	1290	S.Y.	RECLAIM PAVEMENT FOR BASE COURSE @ 8"	\$ 7.00	\$ 9,030.00
170	1290	S.Y.	FINE GRADING & COMPACTING	\$ 3.00	\$ 3,870.00
151	142	C.Y.	GRAVEL BORROW @ 4"	\$ 20.00	\$ 2,840.00
223	5	EA.	FRAME & COVER - REMOVE & RESET (SEWER & STR. DRN.)	\$ 275.00	\$ 1,375.00
220.1.2	2	EA.	CATCH BASIN - ADJUSTED	\$ 300.00	\$ 600.00
358.2	4	EA.	GATE BOX ADJUSTED (WATER)	\$ 175.00	\$ 700.00
381.3	1	EA.	SERVICE BOX ADJUSTED (WATER)	\$ 100.00	\$ 100.00
381.3	2	EA.	GAS BOX ADJUSTED	\$ 100.00	\$ 200.00
420	176	TON	BITUMINOUS CONCRETE BASE COURSE CLASS 1 @ 2 1/2"	\$ 100.00	\$ 17,600.00
460	107	TON	BITUMINOUS CONCRETE PAVEMENT CLASS 1 @ 1 1/2"	\$ 82.00	\$ 8,774.00
					\$ 45,089.00

Note: These costs are approximate only and were determined using pre-determined item costs specified in the current Town Paving contract. Final costs should be determined from a proposal submitted by the selected contractor. Costs may vary due to unforeseen conditions, weather related events and fluctuating material costs.

Note to contractor: An 8M Permit may be required to adjust or excavate around or near MWRA infrastructure.



FREE ESTIMATES

25 Jeffrey Rd
Billerica Ma
01821



ALL WORK GUARANTEED

RICK COOPER

ASPHALT PAVING
DRIVE-WAYS - SIDEWALKS - PARKING LOTS
ARLINGTON, MA 02174
(781) 643-2535



DATE 8/15/16

NAME ARL MONT Street

ADDRESS 11

CITY ARLINGTON STATE Ma. ZIP

PHONE References: Mike DeMartino Wrights

508-208-6778 Author Rd.

☒ DIG OUT LOAM AND GRASS

☐ GRADE WITH GRAVEL

☒ BASE

☒ TOP

☒ EXCAVATE ASPHALT

☐ EXCAVATE CONCRETE

☒ VIBERATORY ROLLER

☐ SEAL COATING

SPECIFICATIONS

5mm CUT JOINTS, Recial'm existing; Regrade & Compact
Vibatory adjust covers & gates. Install 2" Binder asphalt
Install 1 1/2" Road Top. 150-160 ft. Cape Code BCRM.

TOTAL \$35,000.00

TERMS Upland Rd.

781-643-8610

All materials owned by Rick Cooper until paid in full. Our proposal on digging out of asphalt and cement is assessed on industry standard not to exceed a maximum of 5 inches. Any digging out in excess of 5 inches is an additional cost.

CONNELLY CONSTRUCTION

All work guaranteed for 1 year against workmanship and material. R. Cooper cannot be responsible for chemical spills, vegetation growth, marks due to sharp objects, and tires.

Kim Cayer
Customer's Signature

Rick Cooper
Authorized Signature

ABUTTER ADDRESS	NAME	Y/N	LOT SIZE	TOTAL PRICE	1/3 AMOUNT	PAID	2/3 AMOUNT	PAID AMT.	PIF
287 Highland Ave.	Campbell/Conway	Y	1	\$3,182.00					
735 Concord Tpke.	David/Suzanne Garbarino	Y	1	\$3,182.00					
188 Newport St.	Julie Davis	Y	1	\$3,182.00					
191 Newport St.	Michael/Kim Cayer	Y	1	\$3,182.00					
197 Scituate St.	Jennifer Pugliese	Y	1	\$3,182.00					
10 Arlmont St.	Smith/Rossi	Y	1	\$3,182.00					
14 Arlmont St.	Jennifer James	Y	1	\$3,182.00					
28 Arlmont St.	Jefferson/Julie Bransford	Y	1	\$3,182.00					
32 Arlmont St.	Jerome/Carole Crowley	Y	1	\$3,182.00					
33 Arlmont St.	Alan/Heather Biscan	Y	1	\$3,182.00					
48 Arlmont St.	Mente/McGuinn	Y	1	\$3,182.00					
TOTALS				35,002.00	0	0	0	0	0

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

April 13, 2017

Dear Resident:

The Arlington Board of Selectmen's Office is in receipt of a private way repair petition from two-thirds of the abutters of the private way known as Arlmont Street (west of Highland Avenue). There will be a public hearing on this petition received in accordance with Arlington Town Bylaws, "Repairs to Private Ways" at a future date.

The total estimated cost of the work to be done is \$35,000.00. The estimated assessment, per lot, to the abutting property owners is \$3,182.00. If the Selectmen approve the project, one-third of the total estimated cost, \$1,060.60 is required prior to the start of the project. The remaining balance will be due upon completion, or if you choose, it can be assessed on your tax bill for payment over a five year period with interest, in accordance with M.G.L. Chapter 80, the Betterment Act.

Should you have any questions regarding this, please do not hesitate to contact me. Enclosed, please find a copy of "Repairs to Private Ways" of the Town Bylaws, a response sheet, and a self addressed envelope.

Very truly yours,
BOARD OF SELECTMEN

A handwritten signature in cursive script that reads "Marie A. Krepelka".

Marie A. Krepelka
Board Administrator

MAK:fr

Enclosures



FREE ESTIMATES

25 Jeffrey Rd
Billerica Ma
01821



ALL WORK GUARANTEED

RICK COOPER

ASPHALT PAVING
DRIVE-WAYS - SIDEWALKS - PARKING LOTS
ARLINGTON, MA 02174
(781) 643-2535



DATE 8/15/16

NAME ARL MONT Street

ADDRESS "

CITY ARLINGTON STATE Ma. ZIP

PHONE References: Mike Demartino Wrights

508-208-6778 Author Rd.

- ☒ DIG OUT LOAM AND GRASS
- ☐ GRADE WITH GRAVEL
- ☒ BASE
- ☒ TOP

- ☒ EXCAVATE ASPHALT
- ☐ EXCAVATE CONCRETE
- ☒ VIBERATORY ROLLER
- ☐ SEAL COATING

SPECIFICATIONS

5'x4' CUT JOINTS, Recial M. existing; Regrade & Compact
Vibrotory adjust covers & gates. Install 2" Binder asphalt
Install 1 1/2" Road Top. 150-160 ft. Cape Cod B&M.

TOTAL \$35,000.00 TERMS Upland Rd.
781-643-8610

All materials owned by Rick Cooper until paid in full. Our proposal on digging out of asphalt and cement is assessed on industry standard not to exceed a maximum of 5 inches. Any digging out in excess of 5 inches is an additional cost.

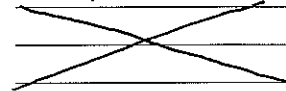
CONNELLY CONSTRUCTION

All work guaranteed for 1 year against workmanship and material. R. Cooper cannot be responsible for chemical spills, vegetation growth, marks due to sharp objects, and tires.

Kim Cayer
Customer's Signature

Rick Cooper
Authorized Signature

Lot No.



KINDLY CHECK ONE OF THE TWO BLOCKS BELOW AND RETURN TO THE OFFICE OF THE BOARD OF SELECTMEN IN THE ENCLOSED ENVELOPE BY FRIDAY, MAY 5, 2017.

I am in favor of repairs to the private way known as Arlmont Street at an estimated per lot cost of \$3,182.00. Total estimated cost of the work to be done is \$35,000.00, as stated in the proposal provided by Rick Cooper with the applicants' submittal received at the Selectmen's Office on April 5, 2017. ☐

I am opposed to repairs to the private way known as Arlmont Street. ☐

Signed _____

Date _____

Printed Name _____

Address _____

TOWN BYLAWS – REPAIRS TO PRIVATE WAYS

ARTICLE 3

REPAIRS TO PRIVATE WAYS

Section 1. Classification

The Town Engineer and the Director of Public Works upon request of the Board of Selectmen acting in its capacity as the Board of Public Works shall recommend the classification of private ways in the Town according to the state of their construction and repair. The Board may then adopt such classifications with any modifications it may deem appropriate.

Section 2. Definition and Authorization

(ART. 20, ATM – 05/04/92) (ART. 23, ATM – 04/28/04)

The Board may vote to direct the Town Manager to make temporary repairs to private ways. Temporary repairs shall be limited to the filling of potholes, temporary patching, skimcoating, thin asphalt overlays, armor coating and grading of dirt roadways providing however, in the case of said grading, the petitioners agree to enter into a contract with a private contractor or the Town to pave the roadway forthwith. Drainage may be included when necessary as determined by the Public Works Director, to prevent further erosion.

Section 3. Criteria

(ART. 35, ATM – 05/18/05)

The Board shall in making its determination as to the advisability of making temporary repairs take into consideration the following factors:

- A. The accessibility of the properties on the private ways to emergency vehicles such as police, fire and rescue.
- B. The volume of traffic that utilizes the private way i.e. deadend as opposed to feeder or connecting streets.
- C. The percentage of abutters on the particular private way petitioning the Board for the repairs.
- D. The number of years that the way shall have been open to public use.
- E. Such other considerations that the Board deems appropriate.
- F. Public Safety.

Section 4. Petition

The Board of Selectmen shall consider any private way or portion thereof for temporary repairs after having been petitioned to do so by at least two-thirds of the total number of abutting property owners on the Private Way who directly abut the portion to be considered for temporary repairs.

The Board may after careful consideration, elect to do the entire portion which was petitioned for, or a lesser portion, provided at least two-thirds of the abutting property owners on the lesser portion to be done are in favor of such action. The Board shall upon receipt of a petition with at least two-thirds of the abutters' signatures affixed thereto shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All abutters shall be given written notice of the hearing not less than seven (7) days prior thereto.

Section 5. Alternate Petition

Notwithstanding the provisions of Section 4 above, the Board may also consider a number of private ways for repair as a whole project when these private ways are ways where a majority of abutters are members of an association of abutters whose major purpose has been the maintenance and repair of those ways upon which these members' properties abut.

The Board may only consider these private ways to be repaired as a whole project when having been petitioned by two-thirds of the total number of abutters who abut all of the ways represented by the association. The Board upon receipt of such a petition shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All of the abutters on all of the ways represented shall be given written notice of the hearing not less than seven days prior thereto.

Section 6. Assessment of costs

(ART. 23, ATM – 04/28/04) (ART. 35, ATM – 05/18/05)

The costs of all labor and materials and processing shall be assessed equally to all abutters on the private way, or portion thereof, or if the Board votes to order any repairs pursuant to a petition filed under Section 5 all the abutters on all the private ways to be repaired without regard to linear frontage.

A *one-third deposit* of the total estimated cost of the completion of the repair project shall be required before any work can be commenced. All remaining costs shall be apportioned, assessed and collected on a per-property basis pursuant to the procedures provided in Chapter 80 of the General Laws, the Betterment Act, including the placing of liens on the affected property and the collection of apportioned costs by means of property tax collection.

Any and all such deposits shall be deducted from the equalized share of the property owners actually paying.

Section 7. Collection of Apportioned Share

(ART. 35, ATM – 05/18/05)

The Board of Selectmen before authorizing any repairs shall adopt a formal Betterment Order which shall require each abutter to pay his/her property's unpaid apportioned share of the repair cost over a five-year period to include interest at 5 percent or 2 percent above

the cost (including Town oversight and administration costs) of any bond issued to fund the repair in question. The Assessors in conjunction with the Town Tax Collector will commit such amount to the respective abutters property tax bill and the Engineering Division of the Public Works Department will cause same to be recorded at the Registry of Deeds so that same runs with the land.

Section 8. Liability

(ART. 35, ATM – 05/18/05) (ART. 19, ATM – 05/04/92)

There shall be a limitation of liability on the Town of Five Hundred (\$500.00) Dollars for any damages arising from any negligent repair of the private way which shall include damage from surface water run-off.

No repair shall be commenced until all the petitioners have signed an agreement with the Town holding the Town harmless from any additional damages arising from any negligent repair and providing evidence of insurance to the satisfaction of the Town. However, nothing in this paragraph shall excuse the Town from damages to property caused by the Town or agents thereof, during the repair process.

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

June 8, 2017

To Residents of Arlmont Street:

The Arlington Board of Selectmen will hold a public hearing on a petition received from two-thirds of the abutters of the private way known as Arlmont Street (west of Highland Avenue) in accordance with Arlington Town bylaws, "Repairs to Private Ways", on **Monday, June 19, 2017, at 7:15 p.m. in the Selectmen's Chambers, 2nd Floor, Town Hall, 730 Massachusetts Avenue, Arlington, MA.**

The purpose of the public hearing is to determine if the repairs should be made. The public hearing will provide property owners an opportunity to be heard on the matter prior to the Selectmen taking action on the petition.

The total estimated cost of the work to be performed is \$35,000. The estimated assessment, per lot, to the abutting property owners is \$3,182.00 per lot. If the Selectmen approve the project, one-third of the total estimated cost (\$1,060.67 per lot) is required by certified check or money order prior to the start of the project. The remaining balance will be due upon completion, or if you choose, it can be assessed on your tax bill for payment over a **five-year period with interest**, in accordance with the M.G.L. Chapter 80, The Betterment Act.

Should you have any questions regarding this, please do not hesitate to contact me. Enclosed please find a copy of the Town bylaws, and a copy of the public hearing notice.

Very truly yours,
BOARD OF SELECTMEN

Marie A. Krepelka
Marie A. Krepelka
Board Administrator

MAK:fr
Enclosures

S:\Private Ways\Arlmont St.doc

(PLACE TOWN SEAL HERE PLEASE)

Legal Notice
BOARD OF SELECTMEN
PRIVATE WAY REPAIR
PUBLIC HEARING

At 7:15 p.m. Monday, June 19, 2017, there will be a public hearing at the Selectmen's Chambers, Town Hall, 730 Massachusetts Avenue, Arlington, MA, on a petition received from two-thirds of the abutters of the private way known as Arlmont Street (west of Highland Avenue) in accordance with Arlington Town bylaws, "Repairs to Private Ways". The purpose of the public hearing is to determine if funds from the Private Way Account should be expended for said roadway.

Per Order of
The Board of Selectmen

Arlington Advocate publication:
June 8, 2017
June 15, 2017

TOWN BYLAWS – REPAIRS TO PRIVATE WAYS

ARTICLE 3

REPAIRS TO PRIVATE WAYS

Section 1. Classification

The Town Engineer and the Director of Public Works upon request of the Board of Selectmen acting in its capacity as the Board of Public Works shall recommend the classification of private ways in the Town according to the state of their construction and repair. The Board may then adopt such classifications with any modifications it may deem appropriate.

Section 2. Definition and Authorization

(ART. 20, ATM – 05/04/92) (ART. 23, ATM – 04/28/04)

The Board may vote to direct the Town Manager to make temporary repairs to private ways. Temporary repairs shall be limited to the filling of potholes, temporary patching, skimcoating, thin asphalt overlays, armor coating and grading of dirt roadways providing however, in the case of said grading, the petitioners agree to enter into a contract with a private contractor or the Town to pave the roadway forthwith. Drainage may be included when necessary as determined by the Public Works Director, to prevent further erosion.

Section 3. Criteria

(ART. 35, ATM – 05/18/05)

The Board shall in making its determination as to the advisability of making temporary repairs take into consideration the following factors:

- A. The accessibility of the properties on the private ways to emergency vehicles such as police, fire and rescue.
- B. The volume of traffic that utilizes the private way i.e. deadend as opposed to feeder or connecting streets.
- C. The percentage of abutters on the particular private way petitioning the Board for the repairs.
- D. The number of years that the way shall have been open to public use.
- E. Such other considerations that the Board deems appropriate.
- F. Public Safety.

Section 4. Petition

The Board of Selectmen shall consider any private way or portion thereof for temporary repairs after having been petitioned to do so by at least two-thirds of the total number of abutting property owners on the Private Way who directly abut the portion to be considered for temporary repairs.

The Board may after careful consideration, elect to do the entire portion which was petitioned for, or a lesser portion, provided at least two-thirds of the abutting property owners on the lesser portion to be done are in favor of such action. The Board shall upon receipt of a petition with at least two-thirds of the abutters' signatures affixed thereto shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All abutters shall be given written notice of the hearing not less than seven (7) days prior thereto.

Section 5. Alternate Petition

Notwithstanding the provisions of Section 4 above, the Board may also consider a number of private ways for repair as a whole project when these private ways are ways where a majority of abutters are members of an association of abutters whose major purpose has been the maintenance and repair of those ways upon which these members' properties abut.

The Board may only consider these private ways to be repaired as a whole project when having been petitioned by two-thirds of the total number of abutters who abut all of the ways represented by the association. The Board upon receipt of such a petition shall hold a public hearing on the advisability of ordering the repairs and the kind and extent thereof. All of the abutters on all of the ways represented shall be given written notice of the hearing not less than seven days prior thereto.

Section 6. Assessment of costs

(ART. 23, ATM – 04/28/04) (ART. 35, ATM – 05/18/05)

The costs of all labor and materials and processing shall be assessed equally to all abutters on the private way, or portion thereof, or if the Board votes to order any repairs pursuant to a petition filed under Section 5 all the abutters on all the private ways to be repaired without regard to linear frontage.

A *one-third deposit* of the total estimated cost of the completion of the repair project shall be required before any work can be commenced. All remaining costs shall be apportioned, assessed and collected on a per-property basis pursuant to the procedures provided in Chapter 80 of the General Laws, the Betterment Act, including the placing of liens on the affected property and the collection of apportioned costs by means of property tax collection.

Any and all such deposits shall be deducted from the equalized share of the property owners actually paying.

Section 7. Collection of Apportioned Share

(ART. 35, ATM – 05/18/05)

The Board of Selectmen before authorizing any repairs shall adopt a formal Betterment Order which shall require each abutter to pay his/her property's unpaid apportioned share of the repair cost over a five-year period to include interest at 5 percent or 2 percent above

the cost (including Town oversight and administration costs) of any bond issued to fund the repair in question. The Assessors in conjunction with the Town Tax Collector will commit such amount to the respective abutters property tax bill and the Engineering Division of the Public Works Department will cause same to be recorded at the Registry of Deeds so that same runs with the land.

Section 8. Liability

(ART. 35, ATM – 05/18/05) (ART. 19, ATM – 05/04/92)

There shall be a limitation of liability on the Town of Five Hundred (\$500.00) Dollars for any damages arising from any negligent repair of the private way which shall include damage from surface water run-off.

No repair shall be commenced until all the petitioners have signed an agreement with the Town holding the Town harmless from any additional damages arising from any negligent repair and providing evidence of insurance to the satisfaction of the Town. However, nothing in this paragraph shall excuse the Town from damages to property caused by the Town or agents thereof, during the repair process.

TOWN OF ARLINGTON
MIDDLESEX COUNTY, MASSACHUSETTS

June 19, 2017

Order relating to Arlmont Street (west of Highland Avenue) Roadway Improvements.

Moved and Seconded that the Board of Selectmen acting pursuant to G.L. c. 40 § 6N, c. 80 §§ 1-16, and Article 3 of Title III “Repairs to Private Ways” of the Bylaws, hereby issue the following order to assess betterments for Arlmont Street (west of Highland Avenue).

- (1) Betterments are to be assessed for work done in accordance with the project entitled “Arlmont Street (west of Highland Ave.), Private Street Repair Project”.
- (2) Betterments shall be assessed equally upon each parcel of land benefiting from such roadway improvements based upon the number of parcels whose address, as assigned by the Town Engineering Department is on Arlmont Street.
- (3) Betterment Costs, currently estimated at \$35,000.00 shall be assessed over a five year period at an interest rate not to exceed 5%; and
- (4) Final assessment of betterment costs shall be determined after the work is completed in accordance with the above Plan and as accepted by the Town.

By Order, Board of Selectmen

Joseph A. Curro, Jr., Chairman

Steven M. Byrne, Vice Chair

Kevin F. Greeley

Diane M. Mahon

Daniel J. Dunn



Town of Arlington, Massachusetts

Arlington Preservation Fund, Arlington Historical Society Designee

Summary:

Robert Fredieu (term to expire 6/30/17)

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Arlington_Preservation_Fund_request_to_appoint_R._Fredieu.pdf	Request from Arlington Preservation Fund to appoint F. Fredieu
▣ Reference Material	Fredieu_appt_to_APF.doc	Meeting notice

From: <cgreeley@bowesre.com>
To: "Fran Reidy" <FReidy@town.arlington.ma.us>
Cc: "Patrick Guthrie" <pbgu3@yahoo.com>, "Robert Fredieu" <fredieu@fredieu.org>
Date: 06/09/2017 08:02 AM
Subject: Arl. Preservation Fund Appointment - Robert Fredieu

Good Morning Fran:

Patrick Guthrie, President of the Arlington Preservation Fund, asked me to forward this letter to you for the official appointment of Robert Fredieu as the Arlington Historical Society's designee to the APF. Please find the attached letter. The current members of the APF discussed this at their last meeting and asked Mr. Fredieu to send us a letter for your records from the Arl. Historical Society. Thanks very much!

Carol Greeley, Clerk, Arlington Preservation Fund
(781) 354-4792 Cell
carol.greeley@gmail.com

Attachments:

File: [Bob Frideau appointment from AHC to Preservation Fund.pdf](#)

Size: 30k Content Type: application/pdf

THE ARLINGTON HISTORICAL SOCIETY

The Jason Russell House & Smith Museum
7 Jason Street
Arlington, Massachusetts 02476-6410

Phone: 781-648-4300

Website: www.arlingtonhistorical.org



May 17, 2017

Town of Arlington
Board of Selectmen
Town Hall, 730 Massachusetts Avenue
Arlington, MA 02476

Dear Selectmen,

At the March 21, 2017 meeting, the Arlington Historical Society voted to nominate former board President and Chairman of our Buildings and Grounds Committee Robert Fredieu to be the Society's designee to the Arlington Preservation Fund for appointment by the Board of Selectmen.

Should you have any questions about this appointment, please contact the Arlington Historical Society Director, Sara Lundberg, at 781-648-4300.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Stuart Brorson'.

Stuart Brorson

President, Arlington Historical Society

OFFICE OF THE BOARD OF SELECTMEN

JOSEPH A. CURRO, JR., CHAIR
STEVEN M. BYRNE, VICE CHAIR
KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

June 9, 2017

Robert Fredieu
111 Pleasant Street
Arlington, MA 02476

Re: Appointment: Arlington Preservation Fund, Arlington Historical Society Designee

Dear Mr. Fredieu:

As a matter of the standard appointment procedure, the Board of Selectmen requests that you attend a meeting of the Board of Selectmen at Town Hall, Selectmen's Chambers, 2nd Floor, 730 Massachusetts Avenue, on Monday, June 19th at 7:15 p.m.

It is a requirement of the Board of Selectmen that you be present at this meeting. Your presence will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

Please contact this office to confirm the date and time with either Mary Ann or Fran at the above number.

Thank you.

Very truly yours,
BOARD OF SELECTMEN

Marie A. Krepelka
Board Administrator

MAK:fr



Town of Arlington, Massachusetts

Request: Alteration of Premise-All Alcohol License

Summary:

Scutra, 92 Summer Street, Cesidia Baugniet

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Ref_Mat_6.19.17_Scutra.pdf	application and reports

LICENSE APPLICATION REPORT

Type of License: Alteration of Premise – All Alcohol License

Name of Applicant: Cesidia Baugniet d/b/a Scutra

Address: 92 Summer Street

The following Departments have **no objections** to the issuance of said license:

- Police x
- Fire
- Health
- Building
- Planning

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Police
- Fire x
- Health x
- Building x
- Planning x
- ADA x

The following Departments have **objections** to the issuance of said license:
(see attached)

- Police
- Fire
- Health
- Building
- Planning



Town of Arlington
Department of Health and Human Services
Office of the Board of Health

27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Board of Selectmen
From: Natasha Waden, Health Compliance Officer
Date: June 15, 2017
RE: Board of Health Comments for Selectmen's Meeting on June 19, 2017:

Please accept the following as comments from the Office of the Board of Health:

Scutra - 92 Summer Street
Alterations to the Premises

- The Health Department approves of the exterior alterations of the premises which include the addition of an outdoor seating area. If any additional alterations to food preparation space or storage areas is anticipated, the applicant must contact the Health Department for approval prior to construction.
- The Establishment must prohibit smoking and the use of e-cigarettes in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200) for each day of the violation.
- The establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: C. D. Dwyer

Date: 6-14-17

COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen
Adam Chapdelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs

DATE: June 14, 2017

RE: Outdoor Dining at Scutra

J.J.

It appears from information provided in the application package including the architects drawing that **Scutra, 92 Summer St.** will be in compliance with ADA Architectural Guidelines and Massachusetts Architectural Access Board Regulations.

In order to be in compliance a minimum clear path of travel of 36" must be provided according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. The accessible outdoor path of travel will need to be kept clear of obstructions such as other furniture, planters, tables, etc. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to the restaurant providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: C. Baggett

Date: 6-14-17

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, **JUNE 14, 2017**
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 92 Summer Street

Applicant's Name: Cesidia Baugniet

D/B/A: Scutra

Telephone: 617 633-7431

Department: Sent Via E-mail

Date: June 7, 2017

MEETING DATE: June 19, 2017

Inspected By:

RE: ALTERATION OF PREMISES- ALL ALCOHOL LICENSE

Police

Fire

Board of Health

Building

Planning---Ali Carter, Economic Development Coordinator

INSPECTION REPORT SECTION:

The application is for an alteration of the premises to accommodate additional seating on an outdoor patio in the rear of this restaurant. The business is located in a B2A zoning district, and the addition of an outdoor patio is appropriate for this location.

The Department has no objection to the alteration of premises for this business.

Any changes in signage, including signs in the window, and changes to the façade of the building may be subject to review by this Department. The Applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: C. Baugniet

Date: 6-14-17

BOARD OF SELECTMEN
Town of Arlington -- Inspection Report

Report is due at the Office of the Board of Selectmen by, June 14, 2017
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 92 Summer St.
Applicant's name: Cesidia Baugniet
D/B/A: Scutra
Telephone: 617 633-7431

Department: Sent E-mail

Date: June 7, 2017

MEETING DATE: June 19, 2017

Re:
Fire
Police
Board of Health
Building
Planning

Alteration of Premise-All Alcohol License

Comments by each Division or Department:

The Building Department has no objections to issuing this license as long as all of the following conditions are complied with:

All building changes need building permits.

All sign changes need approval and sign permit.

The Director of Inspectional Services has no objection to the issuance of this license pending compliance with Zoning and Building Code Regulations.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: C. Baugniet

Date: 6-14-17

From: "John Kelly (Fire Dept)" <JKelly@town.arlington.ma.us>
To: "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>
Date: 06/07/2017 04:22 PM
Subject: Re: Inspection Alteration of Premise-outside seating 92 Summer St. Scutra

MaryAnn

I am all set with this. No inspections needed from the FD.

Thanks

JK

Thank You

Deputy Chief John R Kelly
Arlington Fire Dept.
Operations Division
781-316-3803

From: "Ed DeFrancisco" <EDeFrancisco@town.arlington.ma.us>
To: "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>
Date: 06/08/2017 08:18 AM
Subject: Re: Inspection Alteration of Premise-outside seating 92 Summer St. Scutra

Hi MaryAnn, we do not need to do an inspection for this.

Thanks
Ted

Inspector DeFrancisco
Criminal Investigations Bureau
Arlington PD
781-316-3948



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

AMENDEMENT APPLICATION FOR AN ALTERATION OF PREMISES OR CHANGE OF LOCATION

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

1. NAME OF LICENSEE (Business Contact)

Cesidia Baugniel

ABCC License Number

003000652

City/Town of Licensee

Arlington

2. APPLICATION CONTACT

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name:

Cesidia

Middle:

Ann

Last Name:

Baugniel

Title:

President / owner

Primary Phone:

617-633-7431

Email:

Scutra@aol.com

3. BUSINESS CONTACT

Please complete this section ONLY if there are changes to the Licensee phone number, business address (corporate headquarters), or mailing address.

Entity Name:

Primary Phone:

Fax Number:

Alternative Phone:

Email:

Business Address (Corporate Headquarters)

Street Number:

92

Street Name:

Summer St

City/Town:

Arlington

State:

Ma

Zip Code:

02474

Country:

Mailing Address

☐ Check here if your Mailing Address is the same as your Business Address

Street Number:

28

Street Name:

Wellington St

City/Town:

Waltham

State:

Ma.

Zip Code:

02451

Country:

USA

AMENDMENT APPLICATION FOR AN ALTERATION OF PREMISES OR CHANGE OF LOCATION

6. PREMISES INFORMATION

Please enter the address where the alcoholic beverages are sold.

Premises Address

Street Number: Street Name: Unit:

City/Town: State: Zip Code:

Country:

Description of Premises

Please provide a complete description of the premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage.

Floor Number	Square Footage	Number of Rooms
1	1993	2
1	683	1 - outdoor patio
Basement	700	3

Patio/Deck/Outdoor Area Total Square Footage

Indoor Area Total Square Footage

Number of Entrances

Number of Exits

Proposed Seating Capacity

Proposed Occupancy

Occupancy of Premises

Please complete all fields in this section. Documentation showing proof of legal occupancy of the premises is required.

Please indicate by what right the applicant has to occupy the premises

Lease Beginning Term

Lease Ending Term

Rent per Month

Rent per Year

Landlord Name

Landlord Phone

Landlord Address

If leasing or renting the premises, a signed copy of the lease is required.

Please indicate if the terms of the lease include payments based on the sale of alcohol: ☐ Yes ☒ No

ADDITIONAL SPACE

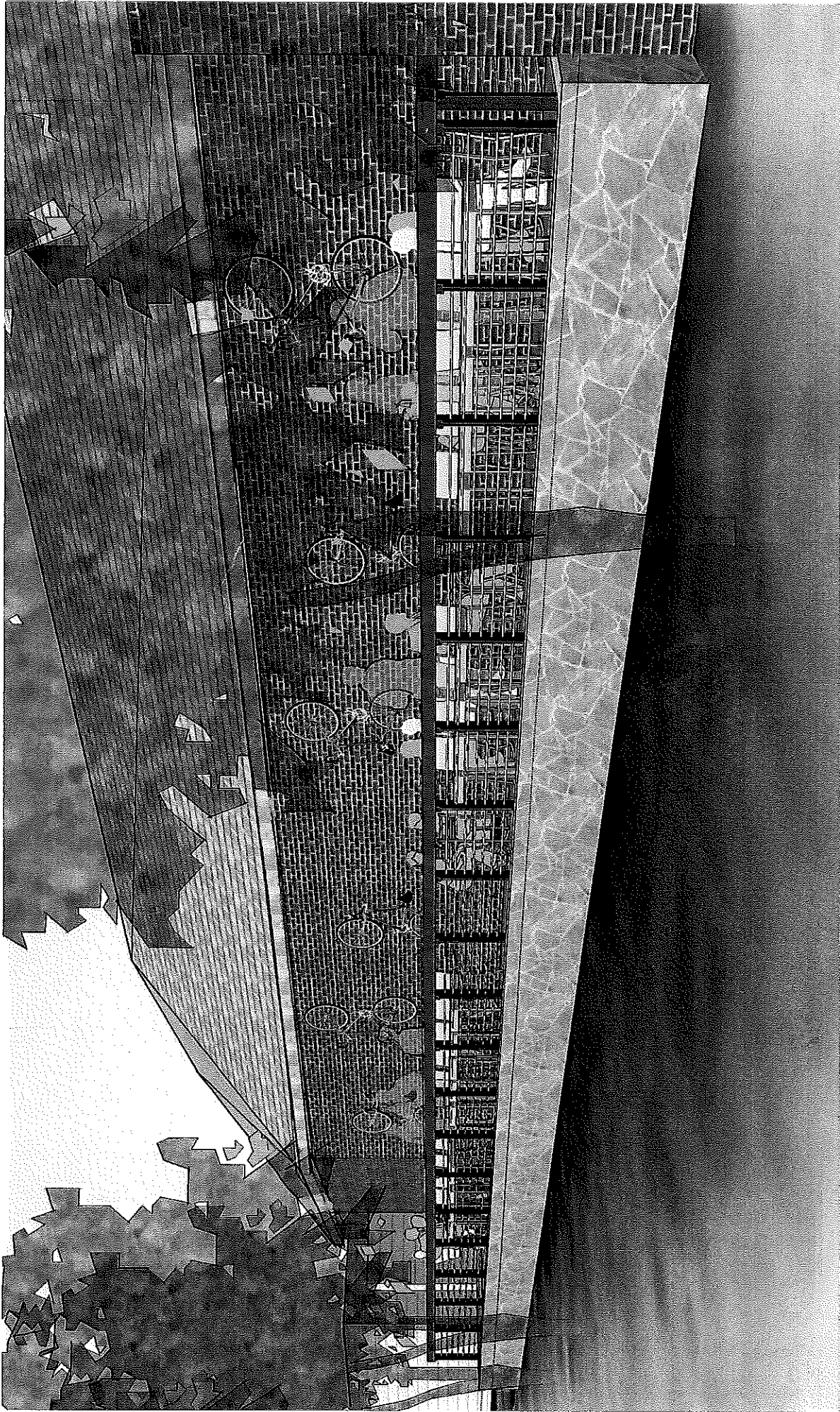
The following space is for any additional information you wish to supply or to clarify an answer you supplied in the application.

If referencing the application, please be sure to include the number of the question to which you are referring.

1. Additional Patio -

With proposed patio there will be 683 sq ft. We will be adding 1 more entrance/exit to patio as well as the exit off the patio.

2. We currently have 60 seats and are looking to add 45 in the outdoor patio.

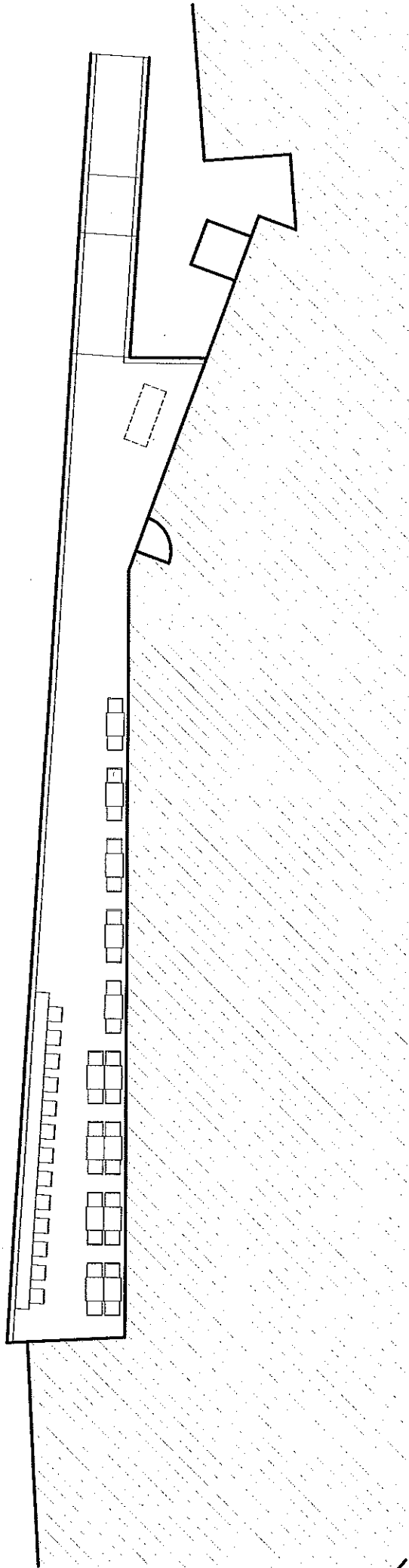


VIEW FROM THE MINUTEMAN BIKE TRAIL

PROPOSED PATIO | SCUTRA | ARLINGTON, MA

1/8" = 1 foot

1/8" = 1 Foot





Town of Arlington, Massachusetts

Approval: Sidewalk Cafe Permit

Summary:

Duet, 190 Massachusetts Avenue, Wayne Duprey

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Ref_Mat_6.19.17_Duet_Sidewalk_Cafe.pdf	application & reports

LICENSE APPLICATION REPORT

Type of Permit: Sidewalk Café Permit

Name of Applicant: Wayne Duprey d/b/a Duet

Address: 190 Massachusetts Ave

The following Departments have **no objections** to the issuance of said license:

- Health _____
- Building _____
- Planning _____

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Health _____x_____
- Building _____x_____
- Planning _____x_____
- ADA _____x_____

The following Departments have **objections** to the issuance of said license:
(see attached)

- Health _____
- Building _____
- Planning _____

COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMO TO: Board of Selectmen
Adam Chapdelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs *J.J.*

DATE: June 14, 2017

RE: Sidewalk Dining at Bistro Duet

It appears from information provided in the application package including the architects drawing that **Bistro Duet; 190 Mass. Ave.** will be in compliance with ADA Architectural Guidelines and Massachusetts Architectural Access Board Regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. Even though the sidewalk dining area will be in compliance according to the architects drawing the Arlington Commission on Disability would have preferred that the clear path of travel be at least 48". Possible obstructions on the sidewalk that could affect compliance after permitting that will need to be watched are location of tables, chairs, other furniture, trash receptacles, planters, sandwich boards, etc. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to the restaurant providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: *[Signature]*

Date: *06/15/17*



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Board of Selectmen
From: Natasha Waden, Health Compliance Officer
Date: June 15, 2017
RE: Board of Health Comments for Selectmen's Meeting on June 19, 2017:

Please accept the following as comments from the Office of the Board of Health:

**Bistro Duet-190 Massachusetts Avenue
Side Walk Cafe**

- The Establishment must prohibit smoking and the use of e-cigarettes in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or by using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of two hundred dollars (\$200.00) for each day of the violation.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: [Signature]

Date: 06/15/17

From: "Ken McConnell" <KMcConnell@town.arlington.ma.us>
To: "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>
Date: 06/14/2017 09:31 AM
Subject: Duet

Maryann, We have no issues with there seating, Ken

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: _____

**BOARD OF SELECTMEN
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Board of Selectmen by, **JUNE 14, 2017**
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: 190 Massachusetts Ave

Applicant's Name: Wayne A. Duprey

D/B/A: Bistro Duet

Telephone: 781 316-8808

Department: Sent Via E-mail

Date: 6/2/17

MEETING DATE: June 19, 2017

Inspected By:

RE: ALTERATION OF PREMISES- ALL ALCOHOL LICENSE

Police

Fire

Board of Health

Building

Planning---Ali Carter, Economic Development Coordinator

INSPECTION REPORT SECTION:

The proposed outdoor seating for this business consists of 6 tables and 16 seats in a cordoned-off space separated from the business's façade by a pedestrian travel corridor that measures 3 feet 7 inches. The outdoor seating area is sufficiently buffered.

The applicant has been involved in discussions with the Town Manager's office, the Department of Public Works, and the Department of Planning and Community Development to discuss alterations to sidewalk planters and street furniture to accommodate their outdoor patio seating. With approval of this application by the Board of Selectmen, the applicant will initiate work to fill the sidewalk planter in order to accommodate the outdoor seating.

The Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the façade of the building may be subject to review by this Department. The Applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: _____

Date: _____

06/15/17

Tol #50
Cic #1046

Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

(PLEASE TYPE OR PRINT)

Business Name: Bistro Duet

Length of Storefront (ft): 50' - 1"

Business Address/Location: 190 Massachusetts Ave.

Width of Sidewalk along Storefront (ft); *1: 13' - 7"

Phone Number/Email: 781-316-8808 / info@bistroduet.com

Length of Proposed Sidewalk Café (ft): 32' - 6"

Business Representative's Name: Wayne A. Duprey

Width of Proposed Sidewalk Café (ft); *2: 10' - 1" (is 3' - 6" from the building)

Name & Address of Building Owner: Frank Pasciutto, 455 Mass Ave

*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

Application Submittal Requirements:

- 1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.
- 2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:
 - No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
 - Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
 - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
 - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
 - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
 - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
 - In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
 - Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
 - No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
 - Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
 - Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) **Insurance:** The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- **At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.**

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
 - Patrons must wear shoes and shirts at all times.
 - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
 - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
 - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
 - All permit holders shall be required to abide by all federal, state, and local laws.
 - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.

6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1st through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated 05/27, 2017

By: _____

(Signature)

(Print Name & Address)

Wayne A. Duprey, 190 Massachusetts Avenue

NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: www.mass.gov/abcc website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of W & C Restaurant Co., a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of W & C Restaurant Co., agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

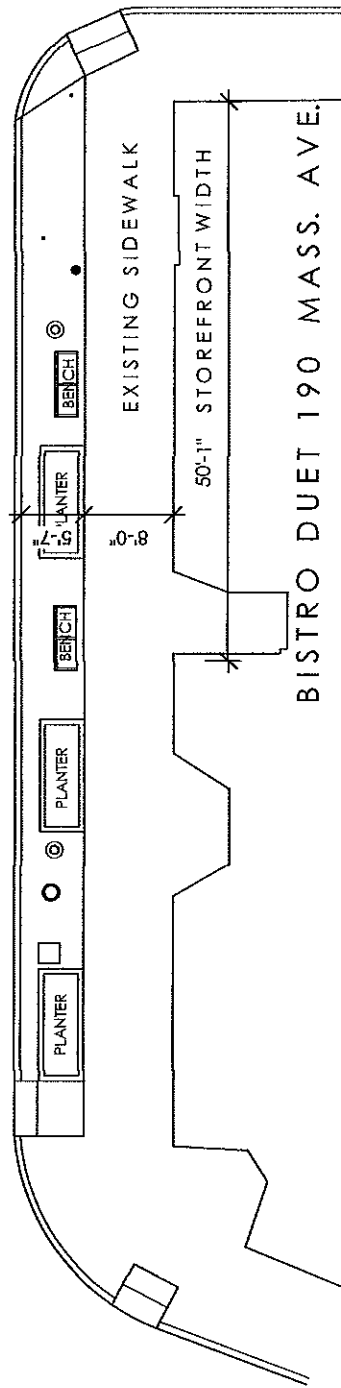
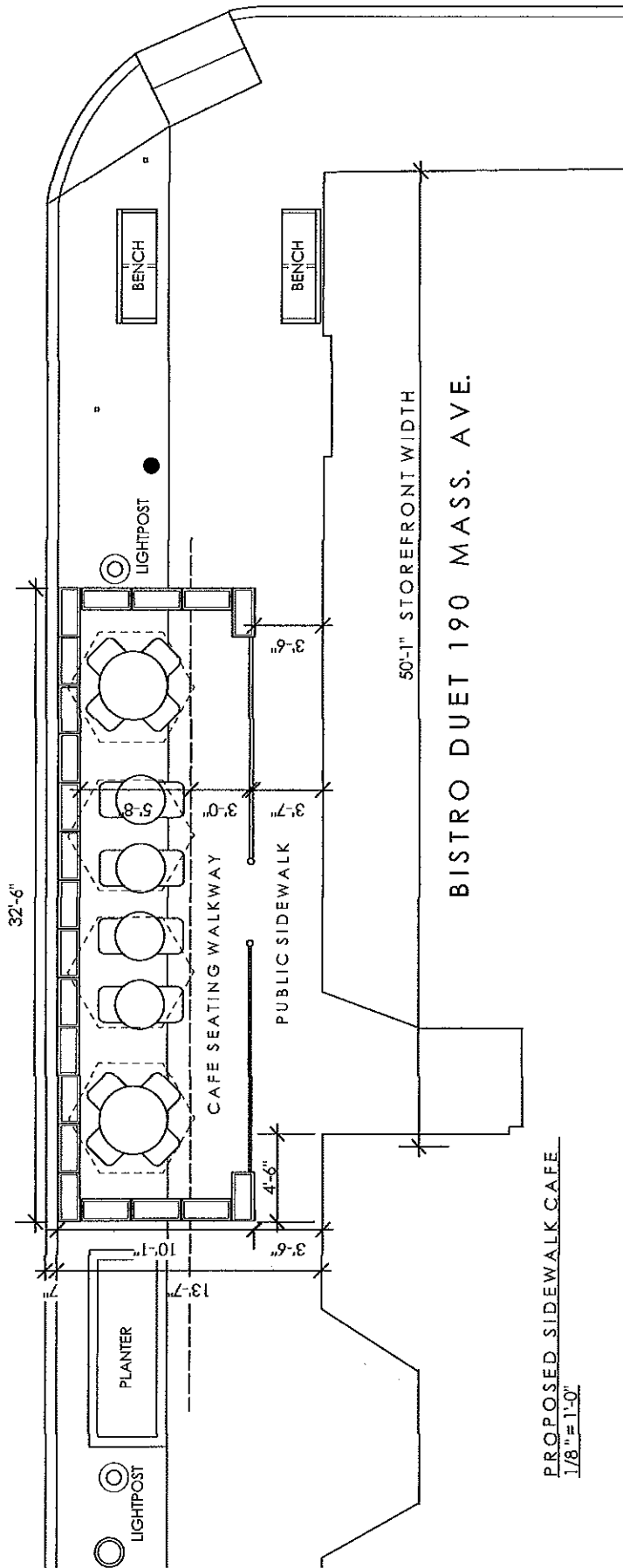
I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

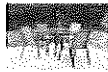
I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.

Signature

Date

05/27/17





**Hampton Bay Mix and Match Stackable
Sling Outdoor Dining Chair in Cafe**

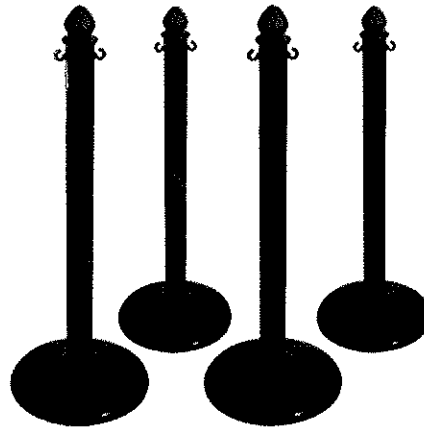
Keter

13.5 in. x 30 in. Brown Resin Elevated Patio Garden Bed



PLASTIC STANCHIONS (SET OF 4) WITH FREE C-HOOKS

(ITEM#: EQPAS-WB)



This set of four beautiful plastic stanchions is great for crowd control and displays in a variety of settings and applications. These posts are durable and stable, but lightweight for convenient transportation. Plastic chain can be used to attach to included C-hooks, or can be run continuously through slot beneath decorative top. Weatherproof UV stabilized plastic will not rust or rot. These portable plastic posts are excellent for auto shows, church and school events, and other non load bearing uses. These high quality plastic stanchions that will last for years.

Choose Black, White or Yellow.

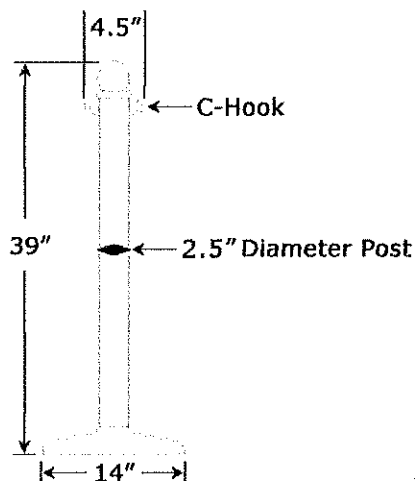
Each Item Includes:

- (4) Black, Yellow or White Deluxe Plastic Stanchions
- (4) C-Hooks Included

Features and benefits:

- 39 in. tall posts with 2.5 in. diameter and 14 in. base
- Span up to 6-feet (with 6mm or 8mm plastic chain) between posts
- Fillable with gravel for extra stability
- Indoor or Outdoor

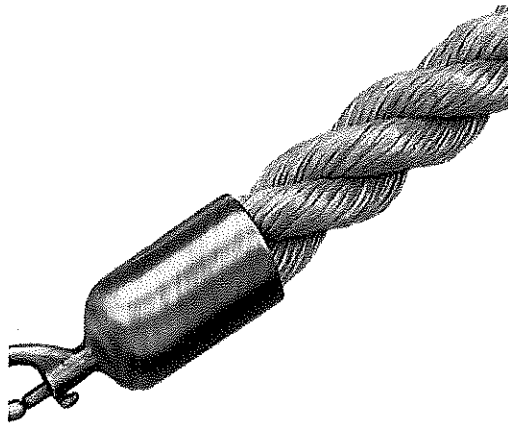
Specifications:



Material: Weatherproof UV stabilized plastic

STANCHION ROPE, TWISTED POLY HEMP, 1.5 INCH DIAMETER WITH ENDS

(ITEM#: 545)



Traditional Natural Twisted Hemp Rope gracefully guides patrons through queue lines. Enhance your classic posts with this elegant but rustic rope choice. Starting price is for two feet of rope.

Each Item Includes:

- (1) Hemp stanchion rope for classic posts in your choice of length
- (2) Snap or hook ends in your choice of finish

Features and benefits:

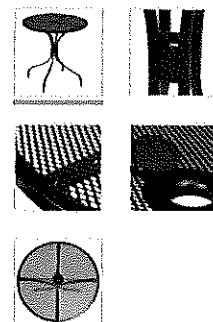
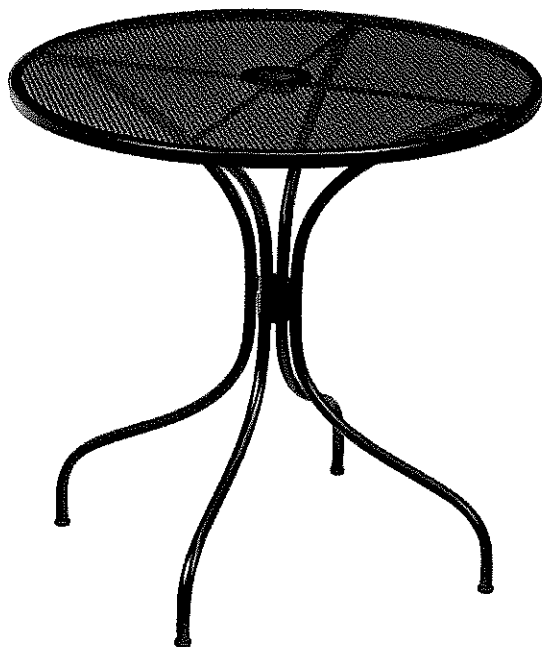
- Choose from 14 different end finish options, in hook or snap-ends
- For outdoor use, please select Colorific Black rope end finish.
- NOTE: Finished rope length will include snap/hook ends. Overall length should include opening distance plus 3 inches for swag. Custom cut ropes are made to order - No Returns or refunds.

Specifications:

- Material: Hemp
- Diameter: 1.5 in.

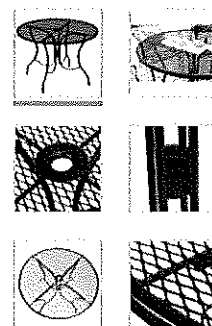
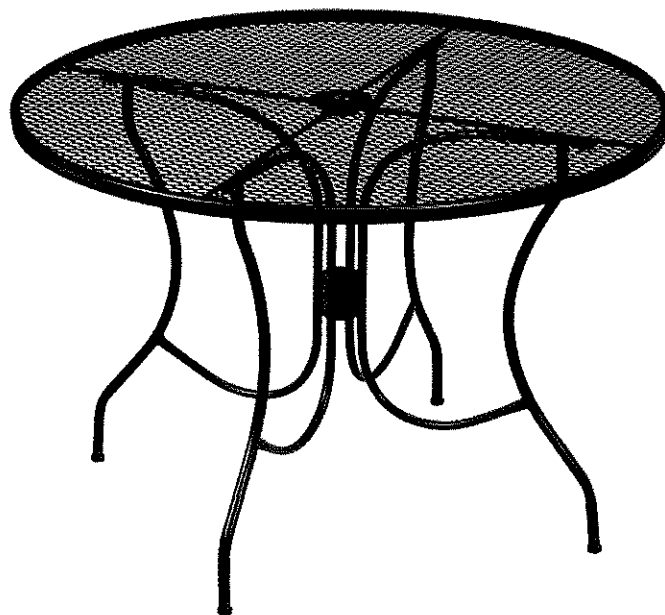
Hampton Bay

Nantucket Round Metal Outdoor Bistro Table



Hampton Bay

Nantucket Round Metal Outdoor Dining Table



Hampton Bay
9 ft. Aluminum Patio Umbrella in
Sunbrella Spectrum Sand with
Push-Button Tilt



Specifications

Dimensions

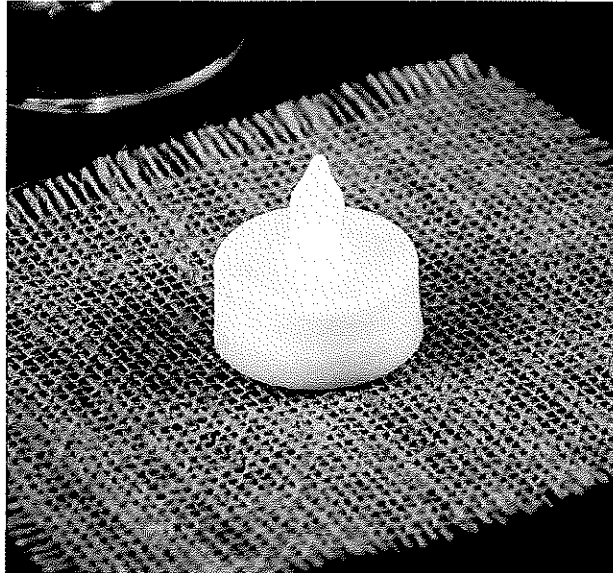
Assembled Depth (in.)	106.3 in	Pole Diameter (in.)	1.5
Assembled Height (in.)	101.2 in	Umbrella Canopy Diameter (ft.)	9
Assembled Width (in.)	106.3 in	Umbrella Height (in.)	101.2

Details

Canopy Color	Sunbrella Spectrum Sand	Product Weight (lb.)	10.9lb
Canopy Shape	Octagon	Returnable	90-Day
Color Family	Brown	Rib Material	Steel
Fabric Pattern Style	Solid	Tilt	Push Button
Opening Mechanism	Crank lift system	Umbrella Canopy Material	Acrylic
Patio Furniture Features	Sunbrella fabric,UV protected	Umbrella Stand	Stand Not Included
Pole Color	Charcoal	Umbrella Type	Market
Pole Material	Aluminum		

Sterno Products 60168 1 3/4" White Flameless Plastic Banquet Tea Light

Item #: 22360168 MFR #: 60168





CERTIFICATE OF LIABILITY INSURANCE

BISTR-1

OP ID: DD

DATE (MM/DD/YYYY)

05/30/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Commercial Ins. Agency, Inc. 385 Concord Ave Suite 101 Belmont, MA 02478 Dorothy Fernster daCruz		CONTACT NAME: Dorothy Fernster daCruz PHONE (A/C, No, Ext): 617-489-1700 FAX (A/C, No): 617-484-1599 E-MAIL ADDRESS:		
INSURED W&C Restaurant Group D/B/A Bistro Duet 190 Mass Ave Arlington, MA 02474		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Greater New York Insurance Co.		
		INSURER B: The Hartford		
		INSURER C:		
		INSURER D:		
		INSURER E:		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
X	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		1120T27946 1120T2796	11/09/2016 11/09/2016	11/09/2017 11/09/2017	EACH OCCURRENCE \$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
						MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COMP/OP AGG \$ 1,000,000
						Liquor \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$
						BODILY INJURY (Per person) \$
						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input type="checkbox"/> RETENTION \$		3020U62207	11/09/2016	11/09/2017	EACH OCCURRENCE \$ 1,000,000
						AGGREGATE \$ 1,000,000
						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input checked="" type="checkbox"/> N/A		WECAA08BIT	11/11/2016	11/11/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
						E.L. EACH ACCIDENT \$ 500,000
						E.L. DISEASE - EA EMPLOYEE \$ 500,000
						E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Property		1120T27946	11/09/2016	11/09/2017	Contents 800,000 Ded 1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Restaurant locate at 190 Massachusetts Ave. Arlington, MA 02474

CERTIFICATE HOLDER

ARLNGT

Town of Arlington
Town Hall
20 Academy Street
Arlington, MA 02174

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Town of Arlington, Massachusetts

CITIZENS OPEN FORUM



Town of Arlington, Massachusetts

Request: Oktoberfest at the Old Schwamb Mill, October 14, 2017

Summary:

Edward Gordon, Museum Administrator, Old Schwamb Mill

Lynette Bennett, Communications Assistant

a) Special (One Day) Beer & Wine License

b) Mill Lane (between Lowell Street and bridge over Mill Brook) - Street Closing

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Ref_Mat_6.19.17_Oktoberfest.pdf	request & application



**17 Mill Lane in Arlington Heights
Saturday, October 14, 2017
Noon to 4 pm**

The Old Schwamb Mill was established in 1864
in Arlington by the Schwamb family, German immigrants
who sought success in a new land.

The Mill is pleased to present its first annual
Oktoberfest
to celebrate the Arlington Heights community,
the Mill Brook Valley and Schwamb family history.

This family-friendly event will feature authentic Bavarian
refreshments (pretzels, bratwurst & beer!), music, and
hands-on activities for kids of all ages!

Admission: \$5 person/\$15 family
781-643-0554 www.oldschwambmill.org

OFFICE OF THE BOARD OF SELECTMEN



**TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908**

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant:

EDWARD W. GORDON, MUSEUM ADMINISTRATOR, OLD SCHWAMB MILL

Address, phone & e-mail contact information:

17 MILL LANE, 781-643-0554, EDWARDWGORDON@AOL.COM

Name & address of Organization for which license is sought:

OLD SCHWAMB MILL, 17 MILL LANE, ARLINGTON 02476

Does this Organization hold nonprofit status under the IRS Code? **YES**

Name of Responsible Manager of Organization (if different from above):

Address, phone & e-mail contact information:

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? **NO**

Is this event an annual or regular event?

FIRST ANNUAL OKTOBERFEST AT THE SCHWAMB MILL

24-Hour contact number for Responsible Manager of Alcohol:

EDWARD W. GORDON

Event date: **SATURDAY, OCTOBER 14, 2017**

Title of Event: **OKTOBERFEST AT THE SCHWAMB MILL**

Time of Event: **NOON TO 4 PM**

Location of Event: **MILL LANE, ARLINGTON**

Location/Event Coordinator: **EDWARD W. GORDON**

Method(s) of invitation/publicity for Event: **POSTERS, POSTCARDS, SOCIAL MEDIA, E-NEWS, LAWN SIGNS, SANDWICH BOARDS**

Number of people expected to attend: **200 TO 300 over the course of the day.**

**TOWN OF ARLINGTON
SPECIAL EVENT PERMIT APPLICATION**

Applicant and Sponsoring Organization Information

Name of Organization / Sponsor: **Old Schwamb Mill**

Address: **17 Mill Lane, Arlington MA 02476**

Applicant Name: **Edward W. Gordon Tel# 781-643-0554**

E-Mail: **edwardwgordon@aol.com**

Event Manager/Contact Info: **Same as above**

Event Title: **Oktoberfest at the Old Schwamb Mill**

Start Date & Time(s): **Saturday, October 14, 2017 noon to 5 pm**

Estimated Attendance: # **200-300 over the course of the day**

Admission Fee: **\$5/person, \$15 family**

Open to the Public: **Yes**

Requested Location: Street (specify): **Mill Lane, Arlington**

Set Up Date/Time & Description: **October 14, 2017, 10 am**

Breakdown Date/Time & Description: **October 14, 2017, 6 pm**

Event Details

Will you set up table(s) and/or chair(s)? **Yes** Approximate number: **80**

Tent(s): **Yes** Dimensions: **To Be Determined**

The following is required by your organization to insure the safety and health of all participating in this event:

Yes Police Detail: see Police comment attached (contact police)

Expected admission/ticket prices: **\$5 PERSON/\$15 FAMILY**

Expected prices for food and beverages (alcoholic and non-alcoholic):

BEER: \$6

APPLE CIDER: FREE

Food vendors will be selling Pretzels, Bratwurst, and traditional Bavarian Desserts.

Swiss Bakers

168 Western Avenue, Allston, MA 02134

Thomas Stohr

617 903-3113

Thomas@swissbakers.com

Fräuleins Bakery

Lilly Rempel

frauleinsbakery@gmail.com

Aeronaut Brewery

14 Tyler Street, Somerville, MA 02143

717 471-1216

Ben Homes (owner)

ben@aeronaut.net

Michael Yim

Michael@tddbrew.com

Will persons under age 21 be on premises? **YES**

If "yes," please detail plan to prevent access of minors to alcoholic beverages.

WRIST BANDS FOR THOSE 21+.

Have you consulted with the Department of Police Services about your security plan for the Event?

SEE DRAFT SECURITY PLAN ATTACHED

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

He. Corey P. Roteau Date 6/13/17

Off. Corey P. Roteau
Printed name/title

POLICE COMMENTS:

Request 2 police details. Alcohol Consumption
must be in the tent and out of view of
the public.

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

BEER ONLY

What types of food and non-alcoholic beverages do you plan to serve at the Event?

SEE ABOVE

Who will be responsible for serving alcoholic beverages at the Event?

AERONAUT BREWING CO.

14 TYLER STREET

SOMERVILLE, MA

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

SEE ATTACHED INFORMATION

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

SEE ATTACHED INFORMATION

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)

AERONAUT BREWING CO.

14 TYLER STREET

SOMERVILLE, MA

Date of Delivery: **SATURDAY, OCTOBER 14, 2017**

Alcohol Serving Time: **NOON TO 4 PM**

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

AERONAUT BREWING CO. WILL REMOVE ALL UNCONSUMED BEER

☐ Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

**Please submit this completed form and filing fee to the Board of Selectmen
at least 21 days before your Event. Failure to provide complete
information may delay the processing of your application.**

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: *Edward W. Gordon*

Printed Name: Edward W. Gordon

Printed title & Organization name: Museum Administrator, Old Schwamb Mill

Email: edwardwgordon@aol.com

Draft Security Plan for Oktoberfest

(print on OSM letterhead, with contact info and date when submitted)

The Old Schwamb Mill is sponsoring its first annual Oktoberfest on Saturday, October 14, 2017, from noon to 4 pm at the mill property, 17 Mill Lane, Arlington Heights. The event is planned as a celebration of the Schwamb family's German heritage and will be a family-friendly event open to all but highlighting the Arlington Heights neighborhood.

The organizing committee includes Ed Gordon, site administrator and event manager, Lynette Bennett, communications assistant, and Board members Janet O'Riordan, Doreen Stevens, and Ann LeRoyer. All committee members have taken the state's online test on crowd control management. Other Board members and extra volunteers will help out on the day of the event.

A one-day permit for beer service is being submitted to the Selectmen's Office. The vendor is Aeronaut Brewing Company of Somerville.

General Information:

Admission tickets will be sold at two entrance stations to all attendees (\$5/person or \$15/family). Food and beverages will be served for fees ranging from \$4 to \$10 per item, and seating will be available under a tent with tables and chairs. Various free tours and activities will take place both inside and outside the Mill building throughout the day. It is anticipated that not more than 125-140 people will be in attendance at any one time.

Beer Service:

Separate drink tickets (\$6 per drink) will be sold to those wanting to purchase a glass of beer, with appropriate ID, and they will be given a wrist band to designate that they have been screened. The beer distributors (Aeronaut Brewing Co. staff) will give a drink only to those with a ticket and the wrist band. Beer drinking will occur only under the tent.

Parking and Police Detail:

Mill Lane between Lowell Street and the bridge over Mill Brook will be closed from noon to 4 pm for safety purposes to allow activities to extend into the roadway. Residents of the adjacent Watermill Place complex will be advised in advance about the lane's closure, and they will have access to their parking garage via Frazer Road.

We will hire a police detail to help direct traffic, and we will post signs to advise visitors about parking in a nearby lot on Lowell Street. Parking will also be available on nearby streets. In our publicity, we will also encourage visitors to access the Mill from the nearby Minuteman Bikeway. Bike racks are present on the property.

From: Lynette Aznavour <lynette.aznavour@gmail.com>
To: Marie Krepelka <mkrepelka@town.arlington.ma.us>
Date: 05/30/2017 02:55 PM
Subject: Agenda Item for June 19 Meeting of Arlington Board of Selectmen

Hello, Marie:

I am writing on behalf of the Old Schwamb Mill, 17 Mill Lane, in Arlington.

We are planning our first annual Oktoberfest event to take place on Saturday, October 14, 2017.

We will be asking approval of a one-day liquor license allowing Aeronaut Brewery to serve beer to ages 21+ on that day from 12 noon to 4 pm.

Old Schwamb Mill Board Member Ann LeRoy will be appearing before the Selectmen on June 19.

I have taken the liberty of attaching appropriate documents related to this event. Please let me know if additional ones are needed.

We look forward to hearing from you.

--

Thank you,
 Lynette Aznavourian
 Museum Assistant
 Old Schwamb Mill
 17 Mill Lane
 Arlington MA 02476

Attachments:

This is your Official TIPS® Certification Card.

Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

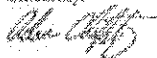
Congratulations!

By successfully completing the TIPS (Training for Intervention Procedures) program, you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or colleagues by using the techniques you have learned and taking a positive approach towards alcohol use.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 703-434-1200. Thank you for your dedication to the responsible sale and consumption of alcohol.

Sincerely,



Adam F. Chafetz
 President, HCI

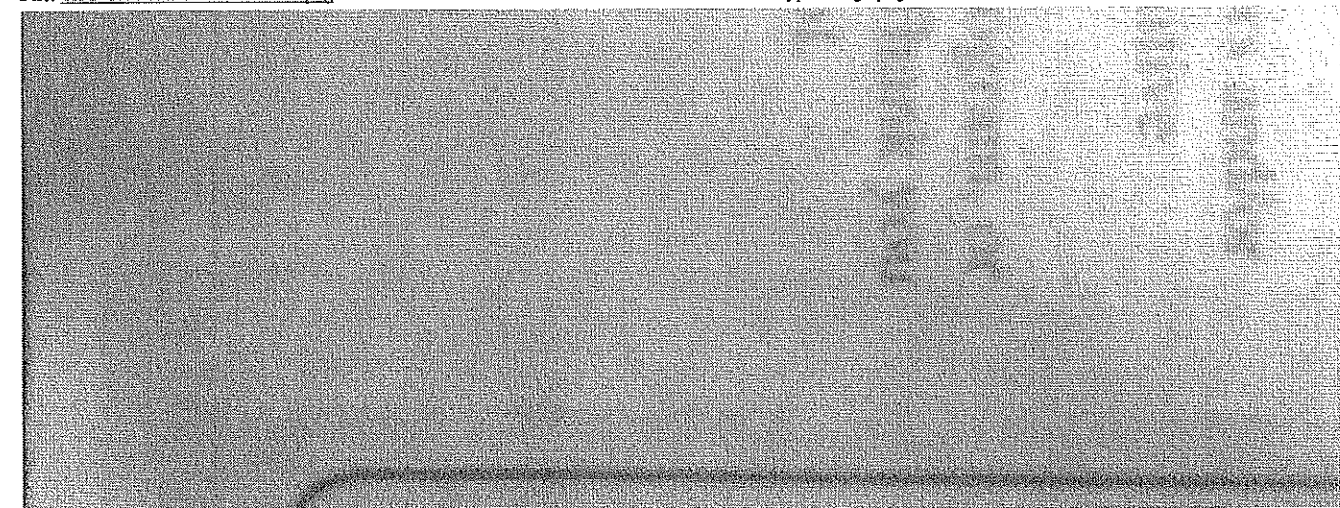
IMPORTANT: Keep a copy of this card for your own records. Your certification number because you will need it when you apply for a new certification. For assistance or additional information, contact Health & Safety Inc. by using the information provided on the reverse side of this card. There is a minimal charge for a replacement card if it becomes lost, damaged or stolen.

TIPS	On Premise	SSN: XXX-XX-XXXX
Issued: 6/18/2015	Expires: 6/1/2018	
ID#: 4014617	D.O.B: XXXX/XXXX	
BENJAMIN R HOLMES		
14 Tyler St		
Somerville, MA 02143-3224		
For service visit us online at www.gettips.com		
Rebekah Powers, 58005		

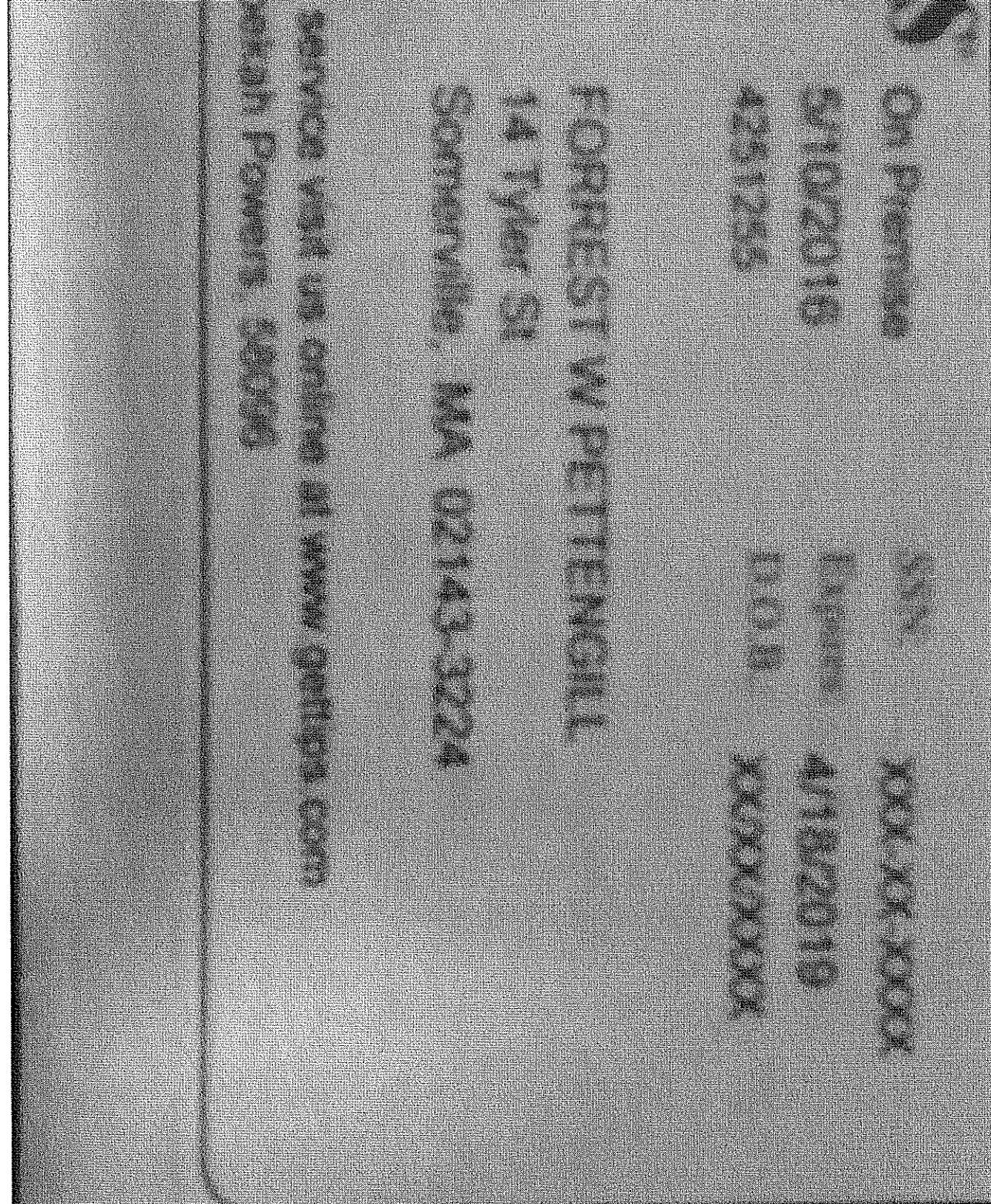
File: TIPS Certification Ben Holmes.png

Size: 777k

Content Type: image/png



File: TIPS Cert. Link	Size: 903k	Content Type: image/jpeg
File: Certificate of Liability Insurance 20170525-123820.pdf	Size: 20k	Content Type: application/pdf
File: Draft Security Plan for Oktoberfest.docx	Size: 15k	Content Type: application/vnd.openxmlformats-officedocument.wordprocessingml
File: Oktoberfest flier.docx	Size: 25k	Content Type: application/vnd.openxmlformats-officedocument.wordprocessingml
File: Liquor License Application Board of Selectmen.docx	Size: 41k	Content Type: application/vnd.openxmlformats-officedocument.wordprocessingml
File: Special Event Permit Application.docx	Size: 15k	Content Type: application/vnd.openxmlformats-officedocument.wordprocessingml





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/24/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Tarantino Insurance Agency LLC 1090 Massachusetts Ave. Arlington, MA 02476	CONTACT NAME: PHONE (A/C No. Ext): (781) 648-5520 FAX (A/C No.): (781) 641-0085 E-MAIL ADDRESS: Mike@TarantinoInsurance.com																					
INSURED Schwamb Mill Preservation Trust, Inc. 17 Mill Ln. Arlington, MA 02476	<table border="1"><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>Penn America Ins Co</td><td></td></tr><tr><td>INSURER B:</td><td>Carolina Casualty Ins. Co.</td><td></td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Penn America Ins Co		INSURER B:	Carolina Casualty Ins. Co.		INSURER C:			INSURER D:			INSURER E:			INSURER F:		
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INSURER F:																						

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			PAV0053357	7/16/16	7/16/17	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ inc
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO ALLOWED AUTOS						BODILY INJURY (Per person) \$
	SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident) \$
	HIRED AUTOS						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
B	D&O			1419420	7/29/16	7/29/17	gen. agg 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

EVIDENCE OF INSURANCE

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Michael F. Tarantino

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ACORD 25 (2010/05)

Phone:

The ACORD name and logo are registered marks of ACORD

Fax:

E-Mail:



Town of Arlington, Massachusetts

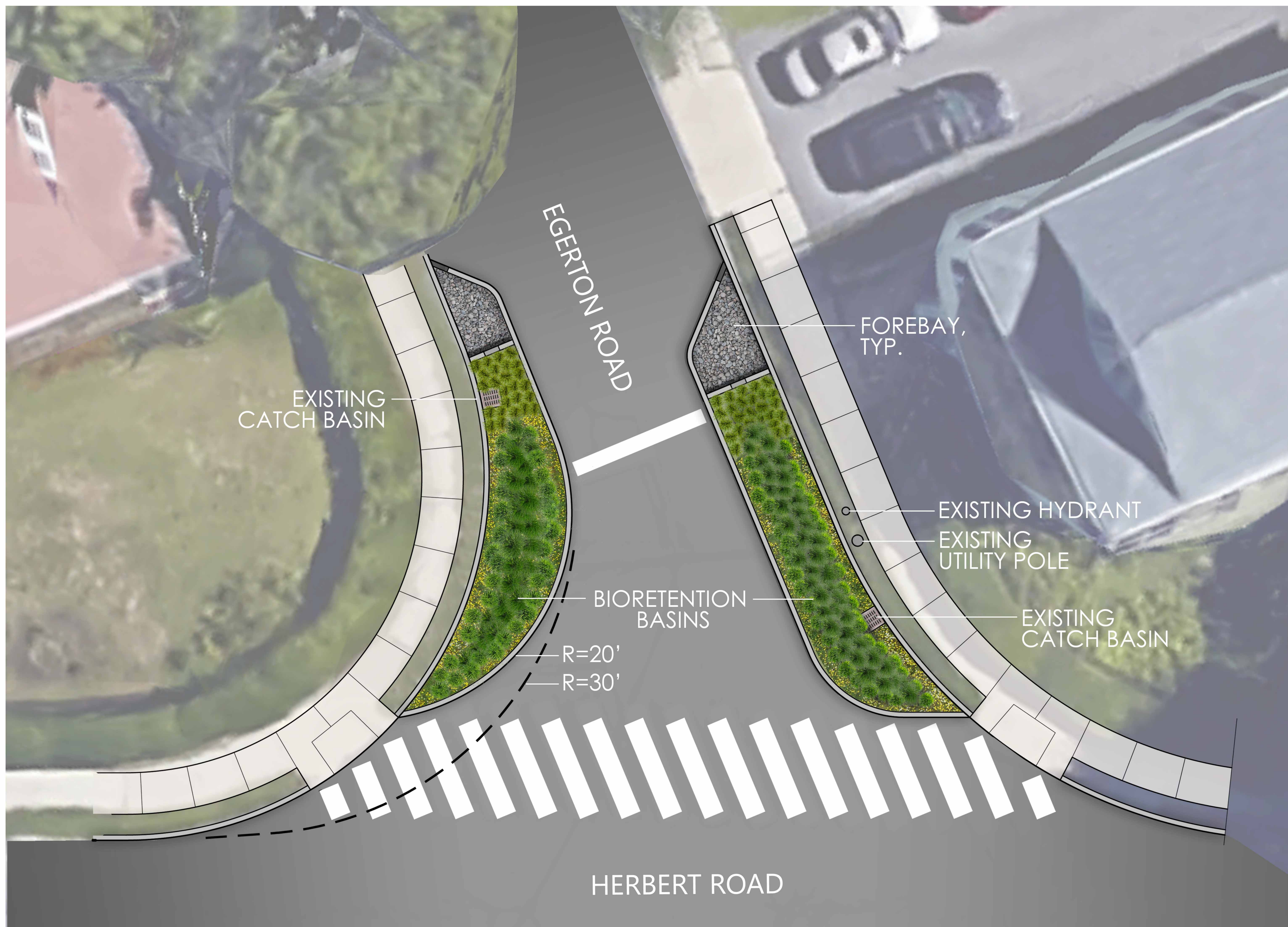
Presentation: Green Infrastructure Retrofit - Intersection of Egerton and Herbert

Summary:

Wayne Chouinard, Town Engineer

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	EGERTON_CONCEPT_DRAFT_(2).pdf	Concept Plan
▢ Reference Material	Egerton_Road_Concept_Design_Report_Oct2014.pdf	Report
▢ Reference Material	319_Support_Letter_to_MyRWA_5-31-2016.pdf	Letter of Support



BIORETENTION BASIN CONCEPT PLAN

Egerton Road / Herbert Road Intersection, Arlington, MA

MAY 2017



Alewife and Mill Brook: Mystic Headwaters Project 2013-01/604

**Egerton Road, Arlington
Concept Plan for a Green Infrastructure Retrofit**

Town of Arlington, MA

October 2014



Prepared for:
Mystic River Watershed Association and the Town of Arlington, MA

Prepared by:
Chester Engineers
18 Commercial Street, Salem MA



Table of Contents

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CONCEPT DESIGN	3
EXPECTED POLLUTANT REMOVAL	4
COST ESTIMATE.....	4
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ATTACHMENT B: DRAINAGE CALCULATIONS	8

INTRODUCTION

This report summarizes the conceptual design for green infrastructure improvements at the intersection of Egerton Road and Herbert Road in Arlington, Massachusetts. Three intersections along Herbert Road, at Egerton, Milton and Melrose, present opportunities for green-street retrofits. On the northeast side of Herbert, runoff flows down each of these one-way side streets and collects in catch basins within the turning zone. These intersections are unusually wide, offering an opportunity to treat runoff within bioretention curb extensions while decreasing pedestrian crossing distance and slowing down traffic. In consultation with the Town Engineer, the decision was made to focus efforts on one intersection, Egerton at Herbert, with the hope that the design could be replicated at the other two intersections.

The proposed green infrastructure retrofit on Egerton Road will divert runoff into two curb extensions on either side of the street, each containing a sediment forebay and bioretention basin. These bioretention basins will beautify the streetscape, decrease crossing distance for pedestrians, and reduce the discharge of pollutants into Alewife Brook.

DESIGN CONSIDERATIONS

Egerton Road is a one-way street, approximately 26 feet wide, surrounded by multi-family houses on small lots. Two catch basins, on the northeast and southeast corners of Egerton at Herbert, capture runoff from the road surface, roofs and driveways extending approximately 260 feet toward Massachusetts Ave. This runoff currently flows to Alewife Brook without treatment.

On-street parking is allowed on both sides of Egerton Road. A water line runs along the south side of Egerton; a sewer line down the center; and a gas line along the north side. Gas and water line conflicts will need to be considered in the final design. A fire hydrant is located next to the catch basin at the southeast corner of Egerton and Herbert.

Soils in the area are NRCS Hydrologic Soil Group A. The intersection does not lie within any resource areas or flood zones. Depth to high groundwater elevation is unknown. Existing soils and groundwater elevation will need to be investigated before the next phase of design to ensure adequate infiltration capacity and the required 2-foot vertical separation between seasonal high groundwater and the bottom of the system.

Through discussions with the Town Engineer, several criteria were established for this design:

- Maintain a minimum street width of 14.5 feet.
- Curb radius must allow SU-30 vehicle to turn right onto Herbert Rd.
- Extend curb a maximum of 20 feet from crosswalk to maintain existing parking spaces.
- Treat the first one-half inch of runoff, if space permits.



Photo 1. Egerton Road looking northeast from Herbert Road



Photo 2. Storm drain and hydrant on south side of intersection

CONCEPT DESIGN

Two curb extension bioretention basins are proposed at the Egerton Road/Herbert Road intersection. On the north side of the intersection, space available for the curb extension was limited by the need to comply with the SU-30 standard for vehicle passage around a sharp curve. The layout on both sides incorporates a sediment forebay that is designed for improved vehicle movement around the obstruction, with a 2 foot-wide opening at the gutter line to accept the roadway runoff. On the north side of the intersection, runoff will move from the sediment forebay over a weir into a bioretention basin approximately 20 feet long, averaging 5 feet wide and 5 inches deep, containing 40 cubic feet of storage capacity for infiltrating stormwater.

Ideally, basins are sized for the full one-half inch first flush to accommodate intense storms of one-half inch per hour. This is often not practical in urban settings where space is limited. Therefore, considering an average storm of 6 hours duration, and an infiltration rate of 3 inches/hour, a basin of this size would infiltrate 150 cubic feet of runoff in the 6-hour period. Combined with the 40 cubic feet of storage remaining in the basin to be infiltrated, total basin capacity is 190 cubic feet. This represents 20% of the first flush runoff for that location, calculated at 950 cubic feet. Runoff in excess of basin capacity will enter a beehive catch basin and drain across Egerton Road to connect with the beehive catch basin on the south side of the intersection and from there, on to the municipal storm drain system. The 5 inches of polluted runoff allowed to pool in the bioretention basin will continue to infiltrate through plant roots and engineered soil into the water table at a rate of 2 to 3 inches/hour, until drained completely within 2 to 3 hours.

On the south side of Egerton Road, runoff collected in the forebay will spill over a wier and into a bioretention basin approximately 24 feet long, 7 feet wide, averaging 8 inches deep, containing 112 cubic feet of storage capacity for infiltrating stormwater. Combined with 252 cubic feet that infiltrates over a six hour rainfall event, the total bioretention basin capacity is 364 cubic feet. This represents 33% of the one-half inch first flush runoff for that location, calculated at 1,100 cubic feet. Runoff in excess of basin capacity will enter the beehive catch basin, built over the existing outflow pipe from the existing catch basin (to be removed). From there, runoff will combine with flow from the north side of the intersection and will drain through the existing pipe to the municipal storm drain system. The 8 inches of polluted runoff remaining in the bioretention basin will continue to infiltrate as above, draining completely within 2 ½ to 4 hours.

EXPECTED POLLUTANT REMOVAL

Estimated removal totals for three common pollutants are presented in Table 1. These estimates are based on the depth of runoff treated (see drainage calculations in Attachment B) and pollutant loading rates and removal efficiencies reported in the Stormwater Best Management Practices Performance Analysis (Tetra Tech, 2010)¹.

Table 1 Total Estimated Removal for Three Common Pollutants

Site	Drainage Area (acre)	Pollutant Loading Rate (lb/ac/yr) ^a		Percent Pollutant Removal ^b	Annual Load Removed (lbs)
North side	0.53	TSS	465.08	46%	112.5
		TP	1.1	19%	0.1
		Zn	0.79	53%	0.2
South side	0.61	TSS	465.08	70%	197.7
		TP	1.1	34%	0.2
		Zn	0.79	79%	0.4

Source: Tetra Tech (2010) page 161 Bioretention BMP Performance Table.

^a Annual pollutant loading rates for high-density residential.

^b North side percent removal based on depth of runoff treated = 0.1 inches. South side depth of runoff treated = 0.2 inches.

COST ESTIMATE

The estimated construction cost for the bioretention basins illustrated in the Concept Plan is approximately \$29,000, including contingencies. See Table 2 for an itemized breakdown of quantities and unit costs.

¹ Tetra Tech (2010) Stormwater Best Management Practices (BMP) Performance Analysis, Revised Document, March 2010, prepared for USEPA-Region 1. Boston, MA

Table 2 Estimate of Probable Construction Costs

Item Description	Unit	Unit Price	Quantity	Cost
Erosion and sediment control	LS	\$1,000	1	\$1,000
Traffic management allowance	LS	\$4,000	1	\$4,000
Tree protection	EA	\$200	2	\$400
Pavement removal	SY	\$12	30	\$360
Excavation	CY	\$24	30	\$720
Remove existing catch basin	EA	\$420	2	\$840
River rock	CY	\$100	3	\$300
Non-woven geotextile fabric	SY	\$4	15	\$60
Granite check dam	LF	\$50	16	\$800
Engineered soil	CY	\$80	25	\$2,000
Bark mulch (3")	CY	\$65	3	\$195
Shrubs (containers, 24" o.c.)	EA	\$30	65	\$1,950
Catch basin frame and grate (Beehive)	EA	\$500	2	\$1,000
Precast concrete catch basin	EA	\$2,600	2	\$5,200
12" RCP	LF	\$60	32	\$1,920
Granite Curb	LF	\$35	100	\$3,500
Subtotal				\$24,245
5% Mobilization				\$1,212
15% Contingency				\$3,819
Total				\$29,000

MAINTENANCE

Operation and maintenance needs for the green infrastructure retrofit are summarized below.

Monthly maintenance includes:

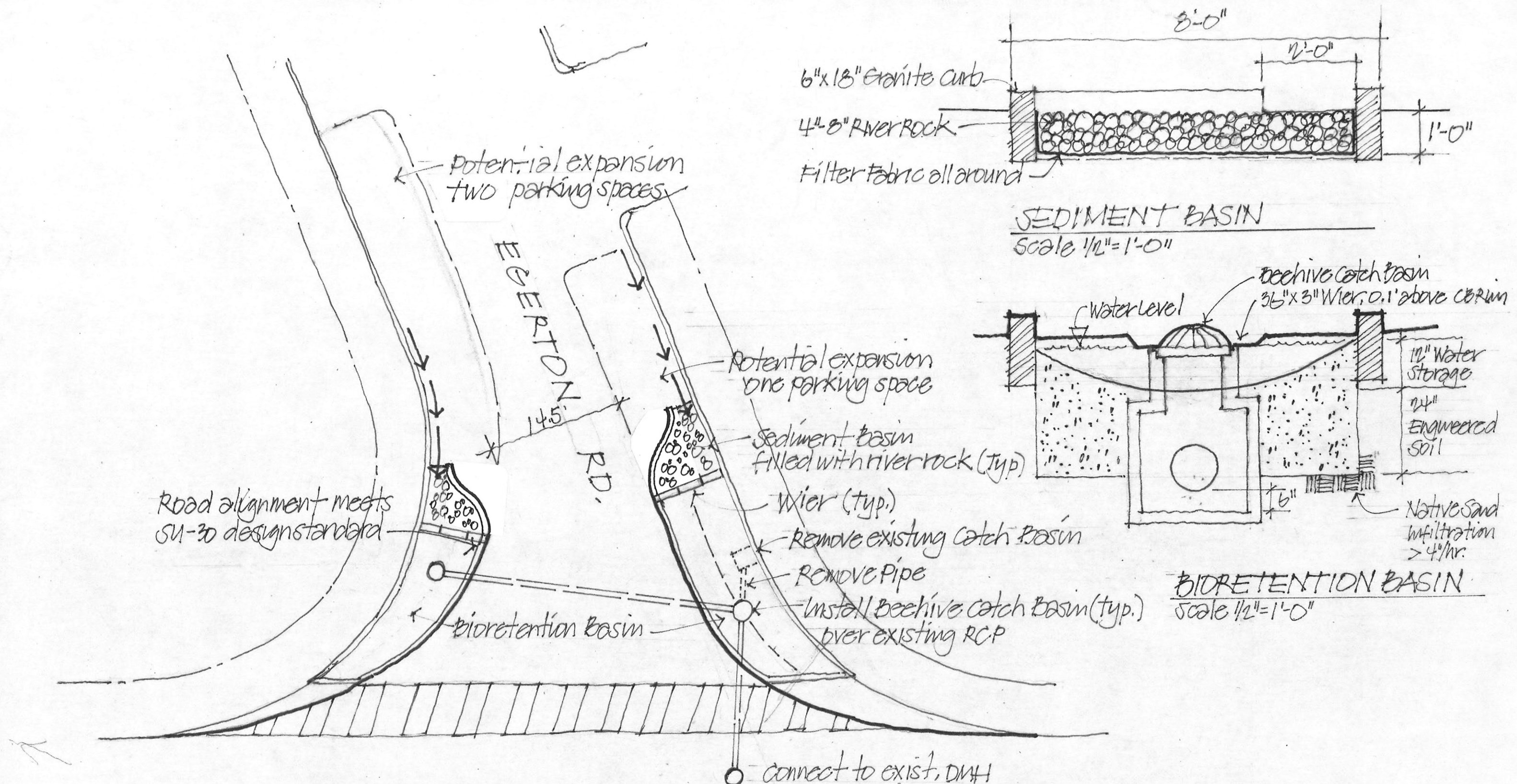
- Remove all trash and debris.
- Inspect inlets along gutter into sediment forebay. Remove any debris that might impede flow.
- Inspect beehive grates. Remove any debris that might impede flow. Repair any damage as needed.
- Inspect for erosion or deep settling/shifting of mulch layer and underlying soil. Replace soil and mulch as needed.
- During the growing season, remove weeds and invasive species by hand. Refer to Invasive Plant Atlas of New England (IPANE) database of invasive and potentially invasive plants.

Annual maintenance includes:

- Remove accumulated sediment in the forebay.
- Inspect for the development of hardpan at the bottom of the basin. Hardpan occurs when the soil becomes cemented, forming an impervious layer. Where this has occurred, scarify the soil to a depth of 6 inches.
- Remove old mulch layer and apply a 3-inch layer of clean hardwood mulch evenly throughout, being careful not to smother or damage the plants.
- Prune shrubs to remove any dead or damaged limbs.
- Manually cut grasses to a height no shorter than 3 inches (in April). Remove cut grass from basin and dispose of off-site.

ATTACHMENT A: SKETCH PLAN

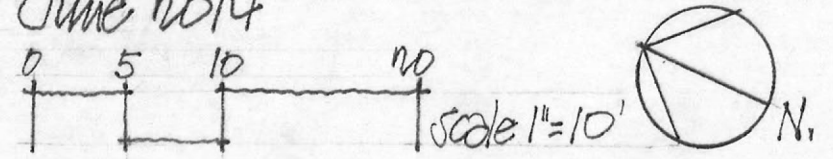
Figure 1. Design Concept for Egerton Rd/Herbert Rd Intersection



HERBERT RD.

SKETCH PLAN

Design concept for Egerton Rd./Herbert Rd. Intersection
 Arlington, MA
 June 2014
 by
 Bioengineering Group



ATTACHMENT B: DRAINAGE CALCULATIONS

Egerton Rd, Arlington Drainage Calculations

Drainage Area Inputs

Drainage area	Description	Existing Outlet	Planned Outlet	Watershed Area (sf)	Area (acres)	Soil Group	Cover Type	CN
North side Egerton Rd	Curb to center crown, extending to center crown on Herbert, north to catch basin on Herbert	Catch basin on Egerton at north corner of Egerton and Herbert	Gutter flow to biobasin	7,400	0.170	A	Paved	98
North house lots	Roofs and driveways on 4 lots including half roof on corner lot.	Catch basin on Egerton at north corner of Egerton and Herbert	Gutter flow to biobasin	15,500	0.356	A	Paved	89
South side Egerton	Curb to center crown, extending to center crown on Herbert, north to catch basin on Herbert	Catch basin on Egerton at south corner of Egerton and Herbert	Gutter flow to biobasin	6,450	0.148	A	Paved	98
South house lots	Roofs and driveways on 4 lots including half roof on corner lot.	Catch basin on Egerton at south corner of Egerton and Herbert	Gutter flow to biobasin	20,000	0.459	A	Paved	89

First Flush (0.5 inch) Volume Calculation

	Drainage Area (sf)	Drainage Area (acre)	Runoff Design Depth (in)	First Flush Runoff Volume (cu.ft.)	Concept Design Capacity (cu.ft.)	Percent of First Flush	Runoff Depth Treated (in)
North side	22,900	0.53	0.5	954	190	20%	0.10
South side	26,450	0.61	0.5	1102	364	33%	0.17
TOTAL				2056	554	27%	0.13

Pollutant Removal Estimate

Site	Drainage Area (acre)	Pollutant Load (lb/ac/yr) ^a		Percent Pollutant Removal ^b	Annual Load Removed (lbs)
North side	0.53	TSS	465.08	46%	112.5
		TP	1.1	19%	0.1
		Zn	0.79	53%	0.2
South side	0.61	TSS	465.08	70%	197.7
		TP	1.1	34%	0.2
		Zn	0.79	79%	0.4

	Total lbs/year	Total lbs/year removed	Total % removal
TSS	526.90	310.1	59%
TP	1.25	0.3	27%
Zn	0.90	0.6	67%

Source: Tetra Tech (2010) page 161 Bioretention BMP Performance Table.

^a Annual pollutant loading rates for high-density residential.

^b North side percent removal based on depth of runoff treated = 0.1 inches. South side depth of runoff treated = 0.2 inches.



Engineering Division

TOWN OF ARLINGTON
Department of Public Works
51 Grove Street
Arlington, Massachusetts 02476
Office (781) 316-3320 Fax (781) 316-3281

May 31, 2016

Mystic River Watershed Association
20 Academy St. Suite 306
Arlington, MA 02476

Dear Dr. Herron,

The Town of Arlington is excited to partner with the Mystic River Watershed Association (MyRWA) on the implementation of the storm water bioretention installation at Egerton in Arlington. This site was designed conceptually in the 604B process and we are so pleased to see the potential for this project moving to implementation.

Our Town is working hard to educate our residents, businesses and development community on the opportunities to effectively manage stormwater and improve the conditions of the local streams and lakes. Our town already is already having success in our monthly Stormwater Presentation series broadcast on public access television – we welcome the opportunity to build on our successful program. This project will be a very useful demonstration project.

The Town of Arlington is committed to working in all facets of the project. We are committing \$5,655 in staff DPW/Engineering resources, \$2,000 in Arlington police traffic control and in-kind construction of \$10,400 (related to granite curb set, pavement removal, drain-line placement).

The installation occurs on Town of Arlington property and we are committed to seeing the project occur.

Please accept this letter as strong support for the application. We feel confident that the efforts in this project will greatly benefit our community.

Sincerely yours,

Wayne A. Chouinard, P.E.
Arlington Department of Public Works
Town Engineer



Town of Arlington, Massachusetts

Reimagining Our Libraries

Summary:

Andrea Nicolay, Library Director

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Reimagining_Our_Libraries_public_meetings_June_2017.pdf	Outreach Materials



What's best about Robbins and Fox?
What are Arlington's Libraries missing?
What will libraries look like in the future?

Reimagining Our Libraries Public Meetings

Tuesday June 13, 7:00 p.m.

Fox Library Ground Floor, 175 Mass Ave

Wednesday June 21, 7:00 p.m.

Robbins Library Community Room

We've hired an architect to address space challenges at both libraries and we want YOU to share dreams of what could be! Join us at either location; both public meetings will address Robbins and Fox. Light refreshments will be served.

RSVP suggested:

reimagining-our-librariesjune13.eventbrite.com

reimagining-our-librariesjune21.eventbrite.com

More info: robbinslibrary.org/reimagining-our-libraries/

Questions: Andrea Nicolay, Library Director 781-316-3201

#ArlLibrariesFuture



700 Massachusetts Ave
Arlington, MA 02476
781-316-3200



Town of Arlington, Massachusetts

Report: Economic Development Matters

Summary:

- 1) Request for Approval: Vacant Storefront Registry Fee
 - 2) Update on Economic Development Activities
- Ali Carter, Economic Development Coordinator

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Memo_to_BoS_May_2017.pdf	Memorandum to Board



TOWN OF ARLINGTON

MASSACHUSETTS 02476

781 - 316 - 3090

DEPARTMENT OF PLANNING &
COMMUNITY DEVELOPMENT

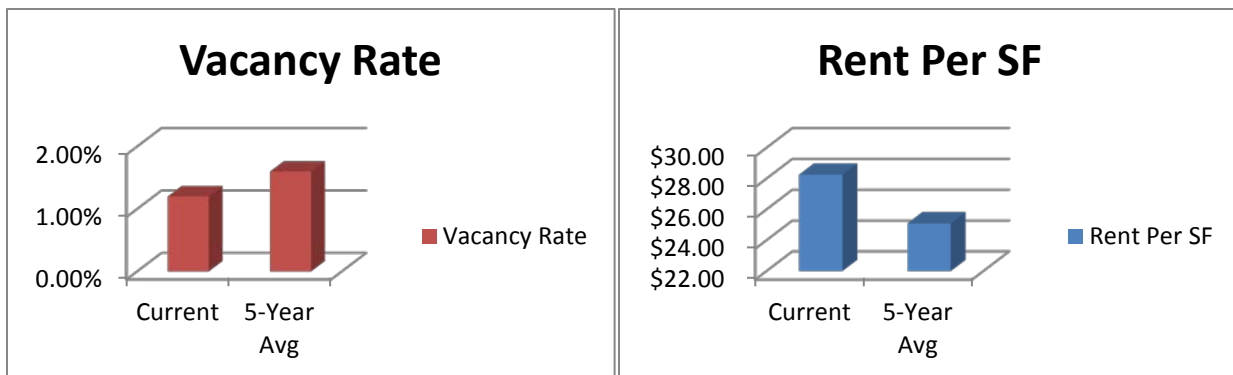
MEMORANDUM

To: Board of Selectmen
Cc: Jennifer Raitt, Director of Planning & Community Development
From: Ali Carter, Economic Development Coordinator
Date: May 11, 2017
Re: Registration Fee for Vacant Storefronts and Economic Development Report
Proposed registration fee for vacant storefronts: \$400.00

- Would cover costs of quarterly building inspections at vacant storefronts
- Also on par with fee for a petition to the Building Board of Appeals

In the past five years, commercial vacancy rates in Arlington have declined while the cost of commercial rentals has increased. The vacancy rate is currently 1.2% compared to a 5-year average of 1.6%. Rental rates now average \$28.25/sq. ft., compared to the 5-year average of just over \$25/sq. ft.

Arlington 5-Year Average Commercial Rental and Vacancy Rates



Source: CoStar.com and Department of Planning and Community Development

The Town has seen continued gains from meals tax income since 2012.

5- Year Meals Tax Income

2012	2013	2014	2015	2016
\$307,037	\$326,726	\$413,163	\$401,870	\$409,308

Source: Town of Arlington Annual Reports

Arlington's local economy is strong, but there is room for growth both within the existing business community as well as through a targeted business recruitment strategy. Growth can be spurred through resource development and allocations as well as revitalization efforts.

1. Organizing and providing resources to the existing business community:
 - a. Holding regular meetings with merchant groups in all three neighborhood business districts [(NBDs): Capitol Square (East Arlington), Arlington Center, and Arlington Heights];
 - b. Establishing formal communications structure between neighborhood support groups and merchants associations; and
 - c. Survey the business community to identify areas of greatest need
2. Revitalizing NBDs
 - a. Filling vacant storefronts
 - i. Implementation of vacant storefront bylaw
 - ii. Outreach to targeted industries in demand
 - b. Support existing community events located in NBDs
 - i. Identify ways to improve or enhance them
 1. Work with community groups who organize events
 2. Survey business owners on event impacts in NBDs
 - c. Targeted infrastructure improvements that accommodate shopping locally
 - i. Parking Benefit District in Arlington Center
 1. Improvements to municipal lots
 - ii. Mass Ave Corridor Plan Phase II
 1. Realignment of Broadway Plaza
 - iii. Beautification efforts (e.g. litter pick-up day in all NBDs, April 2017)
 - d. Marketing business districts via Town channels, merchant associations, neighborhood support groups, and targeted publicity campaigns
 - e. Facilitate formation of key partnerships that will create successful shop local campaigns (e.g. daycare at Boys and Girls Club for East Arlington and Arlington Center holiday shopping day)
 - f. Participate in nationwide promotional events (e.g. Small Business Saturday sponsored by American Express)

Our goals for 2017 to implement the above include:

- g. Implement Vacant Storefront Maintenance Registry
- h. Implement Parking Benefit District in Arlington Center
- i. Develop business recruitment strategy targeting restaurants, breweries, and kitchen incubators
- j. Update Arlington Business Guide
- k. Identify ways to streamline Town permitting and licensing processes



Town of Arlington, Massachusetts

Discussion: Board Appointee to Investment Policy Working Group

Summary:

Joseph Curro, Chair

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Investment_Policy.pdf	Request from Treasurer
▢ Reference Material	Arlington_Inv_Policy_Strmnt_Dec2016.pdf	Investment Policy
▢ Reference Material	SAMPLE_Investment_Policy_MCTA_Jun2010.doc	Sample Policy

From: "Dean Carman" <DCarman@town.arlington.ma.us>
JCurro@town.arlington.ma.us, JLeone@town.arlington.ma.us, jthielman@arlington.k12.ma.us,
To: "Sandy Pooler" <SPooler@town.arlington.ma.us>, "clarissa.rowe@comcast.net"
<clarissa.rowe@comcast.net>
Cc: "Adam Chapdelaine" <AChapdelaine@town.arlington.ma.us>
Date: 06/13/2017 06:31 PM
Subject: Arlington Investment Policy Review Group

Good evening,

I would like to form a working group to review the town's investment policy and update it if necessary (which I suspect will be necessary). I'd like the group to be broad and cover the various stakeholders, so I'm thinking about the following:

1 appointee made by the Chair of the Board of Selectman

1 appointee made by the Chair of the School Committee

1 appointee made by the Town Moderator

Citizen appointees made the by Town Treasurer (I've already asked Clarissa Rowe and we can add people who have technical skills as needed).

Town Treasurer

Deputy Town Manager, or his designate

I've attached the current investment policy, as well as the suggested policy provided by the Massachusetts Treasurers and Collectors Association. My preliminary thinking is the working group would take the template policy, use that as a base and edit for the fact specific to Arlington. If the working group wants to take a broader approach to this and write a policy from scratch, that's fine with me, but it seems unnecessary.

If you need any assistance in identifying an appointee, let me know and I can work with Sandy to find the appropriate person for you.

Thanks,

Dean



TOWN OF ARLINGTON, MA

Trust Funds Investment Policy Statement

Established October 2007. Amended Appendices August 2008. Amended July 2009. Amended October 2009.
Reviewed October 2010. Amended Appendices October 2011. Reviewed October 2012. Reviewed October 2013.
Amended October 2014. Reviewed & Edited October 2015. Amended Appendices July 2016. Amended December 2016.

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TOWN OF ARLINGTON, MA

Trust Funds Investment Policy Statement

Established October 2007, Amended Appendices August 2008, Amended July 2009, Amended October 2009,
Reviewed October 2010, Amended Appendices October 2011, Reviewed October 2012, Reviewed October 2013,
Amended October 2014, Reviewed & Edited October 2015. Amended Appendices July 2016. Amended December 2016.

INTRODUCTION

The principal purpose of this Statement is to provide long-term direction for the investments of the Town of Arlington. A secondary purpose is to describe for the Office of Treasurer & Collector of Taxes, the public, and staff the underlying logic and philosophy supporting this Statement.

Setting investment policy is the most critical phase of the entire investment process. The effects of a good or bad investment policy can be more important than the effects of good or poor investment management. To be successful, an Investment Policy needs to be appropriate for its institutional setting and intended purpose. This policy needs to match the needs of the Operating Funds, Regular and/or General Funds, and Trust Funds future anticipated requests or periodic disbursements to the financial assets most likely to meet those cash flow needs. The best way to minimize investment risk is to match, as closely as possible, the timing of future liabilities with the timing of future cash flows from the portfolio assets.

The policy statement is also designed to withstand "trustee risk" — the possibility that, at some stress point (most frequently an extreme decline in the stock or bond markets), those who oversee the funds may react in a manner detrimental to the long-term health of the Trust Funds.

PRINCIPLES

Outlined below are principles, which shall serve as a guide in establishing this Investment Policy Statement.

The Town Treasurer/Custodian of Funds shall meet and review periodically with the Board of Trust Fund Commissioners, the Library Board of Trustees, and the Board of Cemetery Commissioners to review the Town's policy, investment position, asset allocation, yield, and long-term direction. This Investment Policy shall be reviewed annually, delivered to each board cited above, the Town Comptroller, and submitted to the Town's auditors.

All investments shall be made in accordance with Chapter 44, Sections 54 and 55 of the Massachusetts General Laws (See appendix A), and/or M.G.L. Chapter 203C Sections 1 – 11 (See Appendix B), and/or M.G.L. Chapter 180A (See Appendix C), and/or M.G.L. Chapter 41 Section 46 (See Appendix D), and/or Chapter 114 Section 25 (See Appendix E), and/or Chapter 40 Section 5B, 5D (See Appendix F), and/or Chapter 44 Section 53F1/2 (See Appendix G), and/or Chapter 167 Section(s) 15A & 15B (See Appendix H).

The guiding tenet, in order of priority, for the investing of all Town funds is:

- Safety
- Liquidity
- Yield

The Town of Arlington is both a short-term and long-term investor.

Short-term Investing

For short-term investing, the Treasurer shall continually review and investigate banking and financial institution rates sheets for the best yield available for short term deposits in certificates of deposit (CDs), money market accounts (MMAs), and government obligations (such as Treasury bonds/notes).

The Treasurer shall, at least semi-annually, investigate the viability, solvency, and “rating” of banks and any other financial institution via generally accepted rating mechanisms or institutions, such as “VeriBank”.

The primary depository shall be the General Account of the Town’s Banking Institution, when favorable to the Town, followed by the Massachusetts Municipal Depository Trust (MMDT), if and when favorable. Moving funds from depositories shall be based on a positive benefit to the Town. Movement of funds for short-term investment should equate to a gain of ten to fifteen basis points (0.10% to 0.15%), or other considerations that equal this. Short term investing shall not carry a term-length longer than nine to twelve months. Any short-term investment product carrying a term of more than three months shall not carry a deposited balance exceeding one million dollars. Any depository account exceeding a balance of five-hundred-thousand dollars shall be collateralized, or protected in some other way such as a bond issued by the depository institution, or insurance such as the DIF (Depositors Insurance Fund).

Long-term Investing

The Town purchases long-term assets, such as equities, which tend to have high returns over many years but whose price volatility precludes their use by those with shorter time horizons. By keeping our long-term focus in mind at all times, we hope to weather the periodic bad times.

We expect this long term view to provide us with better results than will be earned by those who pick short term investments or who abandon ship during turbulent times. We also expect that equities will serve as a hedge against eroding trust fund values due to long-term inflationary trends.

We expect the stock market to provide greater total returns than the bond market does. We say this in a long-term sense, knowing that both economies and markets suffer periodic (but normally brief) declines, and knowing that there have been periods when cash and bonds outperform stocks.

We expect the relationship between the economy, the stock market, and inflation that has been in existence for the past 40 years to continue. We expect the American economy to show modest real growth over full business cycles, after allowance for occasional recessions. We expect stock prices to grow slightly faster than inflation, although the naturally volatile nature of the stock market will make such growth invisible except when observed over longer periods of time. We expect cash dividends from stocks also to grow slightly faster than inflation, and to fluctuate much less than stock prices do.

We expect continued inflation. Its timing and severity we cannot predict, but we believe it will be of sufficient magnitude that to ignore it would threaten our ability to meet our long-term objectives.

Our definition of risk is not always the common one. Most investors define investment risk in terms of the volatility of short-term total returns. This definition is appropriate for funds with a very short-term time horizon, but inappropriate for perpetual funds such as Trust Funds and/or Stabilization Funds, and Scholarship Funds. Our managed funds bear three potential kinds of risk. One comes from any mismatch between the natural cash flows out of the Trusts (the amount requisitioned from the Trusts) and the cash flows coming in (from dividends and interest). A second source of risk is the possibility that the assets in the funds do not perform the way the investment manager(s), or we, expect them to. The third form of risk is that of reacting inappropriately at a volatile period, most likely after a severe market decline. We hope to minimize these risks to as great a degree as is possible without harming Town Funds’ long-term objectives. Given our intention of not spending principal, we define its risk in terms of threats to its income stream. Market value fluctuations are of secondary importance unless individual assets have permanently impaired values and must be liquidated to preserve remaining value.

STRATEGY

The contracted Investment Manager(s) will utilize the following investment guidelines in terms of asset allocation. This policy is subject to review and amendment at any time.

The Investment Manager(s) may use separately managed accounts, co-mingled trusts and mutual funds, as appropriate, with the approval of the Town Treasurer. Rating agency inquiries should be utilized on a regular basis.

The portfolio asset allocation investment guidelines are:

Asset Class	Minimum	Target	Maximum
Cash & Equivalents	0%	0%	5%
US Large Cap Core Equity	25%	35%	45%
US Small Cap Core Equity	0%	10%	20%
International Equity	0%	10%	20%
Fixed Income	25%	35%	45%
Liquid Alternatives	0%	10%	20%

Cash

Cash will be maintained to provide periodic cash distributions. Cash will not normally be held as a strategic investment asset, although the Investment Manager may seek to allow cash to build to the maximum level in times of market uncertainty.

US Large Cap Core Equity

The primary objective of the U.S. large cap equity portfolio is inflation protection and long term growth. The portfolio will invest in companies traded on U.S. exchanges, including those domiciled in the U.S., cross registered on U.S. exchanges and foreign shares trading in the U.S. via American Depository Receipts. The portfolio will be fully diversified based on market cap, economic sector, company and number of holdings. The portfolio will be benchmarked to the S&P 500 Index for performance, risk control and portfolio construction purposes.

US Small Cap Core Equity

The primary objective of the U.S. small cap equity portfolio is long term growth. The portfolio will invest in companies with a market capitalization commensurate with the small cap benchmark and traded on U.S. exchanges. The portfolio will be fully diversified based on market cap, economic sector, company and number of holdings. The portfolio will be benchmarked to the Russell 2000 Index for performance, risk control and portfolio construction purposes.

International Equity

The primary objective of the international equity portfolio is long term growth and diversification. The portfolio will invest in foreign companies from developed and emerging economies trading in the U.S. via American Depository Receipts, foreign shares traded on foreign exchanges and exchange traded funds investing in the same. The portfolio will be fully diversified based on market cap, economic sector, company, country, currency and number of holdings. The portfolio will be benchmarked to the FTSE All-World ex-US Index for performance, risk control and portfolio construction purposes.

US Fixed Income

To ensure appropriate diversification and minimize sector risk, investing primarily in high-quality taxable bonds, notes, and other credits. The goal is to provide returns competitive with, and price volatility similar to, Barclays Capital Government/Credit Index.

Liquid Alternative Investments

The primary objective of the liquid alternatives allocation is inflation protection, long term moderate growth and diversification. Strategies can be implemented via separately managed accounts or publicly traded co-mingled vehicles (such as mutual funds). The liquid alternatives allocation will be benchmarked to three month US Treasury Bills plus 3%.

Adequate diversification and risk controls must be maintained within each sub-category. An appropriate benchmark for the overall asset class of equities, as well as each sub-strategy, will be determined and agreed upon between the Town Treasurer and the Investment Manager(s).

PERFORMANCE MEASUREMENT & EVALUATION

The Funds' performance will be measured by comparison with their stated objectives in comparison to their respective benchmarks.

To monitor the intermediate term performance of the Funds, the Treasurer will compare the investment manager's results to a blended benchmark, to be determined in conjunction with the Investment Manager(s). The blended benchmark is as follows:

<i>Benchmark</i>	<i>Target</i>
S&P 500 Index	35%
Russell 2000 Index	10%
FTSE All-World ex-US Index (USD)	10%
Barclays Intermediate Government/Credit Index	35%
US Treasury Bills plus 3%	10%

Rebalancing of the portfolios should happen at least annually, if appropriate, and approved by the Treasurer.

It is expected that the performance returns of the Trust Funds, and any sub-strategy, will outperform their respective benchmarks, net of fees, on a long-term (business cycle) basis.

SUPERVISION

(1) The Treasurer will meet with the investment manager(s) as frequently as semi-annually to monitor the performance of the funds and the investment manager(s) compliance with these guidelines. The Treasurer will receive and review portfolio management reports quarterly.

(2) The Treasurer will review this Investment Policy Statement at least once a year to ensure that it remains appropriate and complete. The Treasurer will review the performance of investments annually with the Board of Trust Fund Commissioners, the Board of Library Trustees, and the Cemetery Commission.

(3) The Treasurer has the option to put the management of funds out for bid periodically, and shall consider such option not less frequently than every five years, through a request for information, request for proposal, or similar process as required by law or town policy. The Town Treasurer, in exercising said option, shall issue either a Request for Information and/or Request for Proposal to include one or all of: an Investment Consultant, an Investment Manager, and an Institutional Custodian.

Adopted by the Town Treasurer & Collector of Taxes

Signed and Dated:

Signature: _____
Treasurer & Collector of Taxes

Date: _____ (Treasurer Seal)

CHAPTER 44. MUNICIPAL FINANCE

MISCELLANEOUS PROVISIONS

Chapter 44: Section 54. Investment of trust funds

Section 54. Trust funds, including cemetery perpetual care funds, unless otherwise provided or directed by the donor thereof, shall be placed at interest in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation, or national banks, or invested by cities or towns in participation units in a combined investment fund under section thirty-eight A of chapter twenty-nine, or in paid-up shares and accounts of and in co-operative banks, or in shares of savings and loan associations or in shares or savings deposits of federal savings and loan associations doing business in the commonwealth to an amount not exceeding one hundred thousand dollars, or in bonds or notes which are legal investments for savings banks. Cities and towns having such funds in the custody of the treasurer in an aggregate amount in excess of two hundred and fifty thousand dollars may also invest such funds in securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the commonwealth; provided, that not more than fifteen per cent of any such trust funds shall be invested in bank stocks and insurance company stocks, nor shall more than one and one-half per cent of such funds be invested in the stock of any one bank or insurance company. This section shall not apply to the city of Boston.

Chapter 44: Section 55. Public funds on deposit; limitations; investments

Section 55. A city, town, or district or regional school district shall not at any one time have on deposit in a bank or trust company or banking company an amount exceeding sixty per cent of the capital and surplus of such bank or trust company or banking company, unless satisfactory security is given to it by such bank or trust company or banking company for such excess. The treasurer of any city, town, district or regional school district shall not deposit funds for which he is accountable in any bank, trust company or banking company with which such treasurer is associated as an officer or employee or has been associated as an officer or employee at any time during the three years immediately preceding the date of any such deposit. For the purpose of paying the principal or interest due on any bond, note or other obligation of the city of Boston, which is payable or requested to be paid in the city of New York, the city of Boston may keep on deposit in any national bank or trust company in the city of New York a sum not exceeding in the aggregate twenty-five thousand dollars; provided, that for a period of two weeks prior to the date of any such payment or payments, said amount may be increased by a sum or sums sufficient to cover the same. A treasurer of a city, town, district or regional school district may invest such portion of revenue cash as he shall deem not required to pay expenses until such cash is available and all or any part of the proceeds from the issue of bonds or notes, prior to their application to the payment of liabilities incurred for the purposes for which the bonds or notes were authorized, in term deposits or certificates of deposit, in trust companies, national banks, savings banks, banking companies or cooperative banks, or in obligations issued or unconditionally guaranteed by the United States government or any agency thereof and having a maturity from date of purchase of one year or less, or in United States government securities or securities of United States government agencies purchased under an agreement with a trust company, national bank or banking company to repurchase at not less than the original purchase price of said securities on a fixed date, not to exceed ninety days or in shares of beneficial interest issued by money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940, as amended, operated in accordance with Section 270.2a-7 of Title 17 of the Code of Federal Regulations, that have received the highest possible rating from at least one nationally recognized statistical rating organization and the purchase price of shares of beneficial interest purchased pursuant to this section shall not include any commission that these companies may charge, or in participation units in a combined investment fund under section thirty-eight A of chapter twenty-nine; provided, however, that no temporary notes in anticipation of revenue shall be issued under section four as long as any revenue cash, exclusive of revenue sharing or other revenue cash the use of which is restricted to purposes other than current maintenance expenses, remain so invested.

Investment Policy Statement APPENDIX B.

CHAPTER 203C. PRUDENT INVESTMENT

Chapter 203C: Section 1. Citation

Section 1. This chapter shall be known as and may be cited as the Massachusetts Prudent Investor Act.

Chapter 203C: Section 2. Trustees managing trust assets; duty to comply with prudent investor rule

Section 2. (a) Except as provided in subsection (b), a trustee who invests and manages trust assets shall owe a duty to the beneficiaries of a trust to comply with the prudent investor rule set forth in this chapter.

(b) The prudent investor rule may be expanded, restricted, eliminated or otherwise altered by the provisions of a trust. A trustee shall not be liable to a beneficiary to the extent that the trustee acted in reasonable reliance on the provisions of the trust.

Chapter 203C: Section 3. Investment and management decisions

Section 3. (a) A trustee shall invest and manage trust assets as a prudent investor would, considering the purposes, terms, and other circumstances of the trust, including those set forth in subsection (c). In satisfying this standard, the trustee shall exercise reasonable care, skill, and caution.

(b) A trustee's investment and management decisions respecting individual assets shall be considered in the context of the trust portfolio as a part of an overall investment strategy reasonably suited to the trust.

(c) Among circumstances that a trustee shall consider in investing and managing trust assets are such of the following as are relevant to the trust or its beneficiaries:

- (1) general economic conditions;
- (2) the possible effect of inflation or deflation;
- (3) the expected tax consequences of investment decisions or strategies;
- (4) the role that each investment or course of action plays within the overall trust portfolio;
- (5) the expected total return from income and the appreciation of capital;
- (6) other resources of the beneficiaries;
- (7) needs for liquidity, regularity of income, and preservation or appreciation of capital; and
- (8) an asset's special relationship or special value, if any, to the purposes of the trust or to one of the beneficiaries.

(d) A trustee shall make a reasonable effort to verify facts relevant to the investment and management of trust assets.

(e) A trustee may invest in any kind of property or type of investment consistent with the standards of this chapter.

(f) A trustee who has special skills or expertise, or is named trustee in reliance upon the trustee's representation that the trustee has such special skills or expertise, shall have a duty to use such special skills or expertise.

Chapter 203C: Section 4. Diversification

Section 4. A trustee shall reasonably diversify the investments of the trust unless, under the circumstances, it is prudent not to do so.

Chapter 203C: Section 5. Review of assets

Section 5. Within a reasonable time after accepting a trusteeship or receiving trust assets, a trustee shall review the trust assets and make and implement decisions concerning the retention and disposition of assets, in order to bring the trust portfolio into compliance with the purposes, terms, and the other circumstances of the trust, and with the requirements of this chapter.

Chapter 203C: Section 6. Beneficiaries' interests

Section 6. A trustee shall invest and manage the trust assets solely in the interest of the beneficiaries.

Chapter 203C: Section 7. Two or more beneficiaries

Section 7. If a trust has two or more beneficiaries, the trustee shall act impartially in investing and managing the trust assets, taking into account any differing interests of the beneficiaries.

Chapter 203C: Section 8. Costs incurred

Section 8. In investing and managing trust assets, a trustee shall incur only costs that are appropriate and reasonable in relation to the assets, the purpose of the trust, and the skills of the trustee.

Chapter 203C: Section 9. Determination of compliance with prudent investor rule

Section 9. Compliance with the prudent investor rule shall be determined in light of the facts and circumstances existing at the time of a trustee's decision or action.

Chapter 203C: Section 10. Delegation of investment and management functions

Section 10. (a) A trustee may delegate investment and management functions if it is prudent to do so. A trustee shall exercise reasonable care, skill and caution in:

- (1) selecting an agent;
- (2) establishing the scope and terms of the delegation, consistent with the purposes and terms of the trust; and
- (3) periodically reviewing the agent's actions in order to monitor the agent's performance and compliance with the terms of the delegation.

(b) In performing a delegated function, an agent shall owe a duty to the trust to exercise reasonable care to comply with the terms of the delegation.

(c) A trustee who complies with the requirements of subsection (a) shall not be liable to the beneficiaries or to the trust for the decisions or actions of the agent to whom the function was delegated.

(d) By accepting the delegation of trust functions from the trustee of a trust that is subject to the laws of the commonwealth, an agent submits to the jurisdiction of the courts of the commonwealth.

Chapter 203C: Section 11. Trust provisions; terms

Section 11. The following terms or comparable language in the provisions of a trust, unless otherwise limited or modified, authorize any investment or strategy permitted under this chapter and shall not be interpreted to be a restriction, elimination, or other alteration of the prudent investor rule for purposes of subsection (b) of section 2: "investments permissible by law for investment of trust funds", "legal investments", "authorized investments", "using the judgment and care under the circumstances then prevailing that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital", "prudent man rule", "prudent trustee rule", "prudent person rule", and "prudent investor rule".

Investment Policy Statement Appendix C

M.G.L. CHAPTER 180A. MANAGEMENT OF INSTITUTIONAL FUNDS

Chapter 180A: Section 1. Definitions

Section 1. The following words as used in this chapter shall have the following meanings, unless a different meaning is clearly apparent from the language or context:—

- (1) “Institution”, an incorporated or unincorporated organization organized and operated exclusively for educational, religious, charitable, or other eleemosynary purposes, or a governmental organization to the extent that it holds funds exclusively for any of these purposes;
- (2) “Institutional fund”, a fund held by an institution for its exclusive use, benefit, or purposes, but does not include (i) a fund held for an institution by a trustee that is not an institution or (ii) a fund in which a beneficiary that is not an institution has an interest, other than possible rights that could arise upon violation or failure of the purposes of the fund;
- (3) “Endowment fund”, an institutional fund, or any part thereof, not wholly expendable by the institution on a current basis under the terms of the applicable gift instrument;
- (4) “Governing board”, the body responsible for the management of an institution or of an institutional fund;
- (5) “Historic dollar value”, the aggregate fair value in dollars of (i) an endowment fund at the time it became an endowment fund, (ii) each subsequent donation to the fund at the time it is made, and (iii) each accumulation made pursuant to a direction in the applicable gift instrument at the time the accumulation is added to the fund. The determination of historic dollar value made in good faith by the institution is conclusive.
- (6) “Gift instrument”, a will, deed, grant, conveyance, agreement, memorandum, writing, or other governing document, including the terms of any institutional solicitations from which an institutional fund resulted, under which property is transferred to or held by an institution as an institutional fund.

Chapter 180A: Section 2. Appropriations for expenditures from endowment funds authorized; presumption of imprudence

Section 2. The governing board may appropriate for expenditure for the uses and purposes for which an endowment fund is established so much of the net appreciation, realized and unrealized, in the fair value of the assets of the endowment fund over the historic dollar value of the fund as is prudent under the standard established by section eight; provided, however, the appropriation of net appreciation for expenditure in any year in an amount greater than seven per cent of the fair market value of the institution’s endowment funds, calculated on the basis of market values determined at least quarterly and averaged over a period of three or more years, shall create a rebuttable presumption of imprudence on the part of the governing board. This section does not limit the authority of the governing board to expend funds as permitted under other law, the terms of the applicable gift instrument, or the charter of the institution.

Chapter 180A: Section 3. Restrictions in gift instruments upon expenditure of net appreciation

Section 3. Section two does not apply if the applicable gift instrument indicates the donor’s intention that net appreciation shall not be expended. A restriction upon the expenditure of net appreciation may not be implied from a designation of a gift as an endowment, or from a direction or authorization in the applicable gift instrument to use only “income”, “interest”, “dividends”, or “rents, issues or profits”, or “to preserve the principal intact”, or a direction which contains other words of similar import. This rule of construction applies to gift instruments executed or in effect before or after the effective date of this section.

Chapter 180A: Section 4. Accumulation of annual net income; reserve

Section 4. The governing board may accumulate so much of the annual net income of an institutional fund as is prudent under the standard established by section eight, and may hold any or all of such accumulated income in an income reserve for subsequent expenditure for the uses and purposes for which such institutional fund is established or may add any or all of such accumulated income to the principal of such institutional fund, as is prudent under said standard. This section does not limit the authority of the governing board to accumulate income or to add the same to principal of an institutional fund as permitted under other law, the terms of the applicable gift instrument, or the charter of the institution.

Chapter 180A: Section 5. Restrictions in gift instruments against accumulation of income or addition to principal

Section 5. Section four does not apply if and to the extent that the applicable gift instrument indicates the donor's intention that income of an institutional fund shall not be accumulated or shall not be added to the principal of the fund. A restriction against accumulation or addition to principal may not be implied from a designation of a gift as an endowment fund, or from a direction or authorization in the applicable gift instrument to apply to the uses and purposes of the fund the "income", "interest", "dividends", "currently expendable income", or "rent, issues or profits", or a direction which contains other words of similar import. This rule of construction applies to gift instruments executed or in effect before or after the effective date of this section.

Chapter 180A: Section 6. Investments

Section 6. In addition to an investment otherwise authorized by law or by the applicable gift instrument, and without restriction to investments a fiduciary may make, the governing board, subject to any specific limitations set forth in the applicable gift instrument or in the applicable law other than law relating to investments by a fiduciary, may:

- (1) invest and reinvest an institutional fund in any real or personal property deemed advisable by the governing board, whether or not it produces a current return, including mortgages, stocks, bonds, debentures, and other securities of profit or non-profit corporations, shares in or obligations of associations, partnerships, or individuals, and obligations of any government or subdivision or instrumentality thereof;
- (2) retain property contributed by a donor to an institutional fund for as long as the governing board deems advisable;
- (3) include all or any part of an institutional fund in any pooled or common fund maintained by the institution; and
- (4) invest all or any part of an institutional fund in any other pooled or common fund available for investment, including shares or interests in regulated investment companies, mutual funds, common trust funds, investment partnerships, real estate investment trusts, or similar organizations in which funds are commingled and investment determinations are made by persons other than the governing board.

Chapter 180A: Section 7. Delegation of authority of board

Section 7. Except as otherwise provided by the applicable gift instrument or by applicable law relating to governmental institutions or funds, the governing board may (1) delegate to its committees, officers or employees of the institution or the fund, or agents, including investment counsel, the authority to act in place of the board in investment and reinvestment of institutional funds, (2) contract with independent investment advisors, investment counsel or managers, banks, or trust companies, so to act, and (3) authorize the payment of compensation for investment advisory or management services.

Chapter 180A: Section 8. Administration of powers of board; liability of members

Section 8. In the administration of the powers to appropriate appreciation, to accumulate income, to make and retain investments, and to delegate investment management of institutional funds, members of a governing board shall consider long and short term needs of the institution in carrying out its educational, religious, charitable or other eleemosynary purposes, the problems peculiar to the institution, its present and anticipated financial requirements, expected total return on its investments, price level trends, and general economic conditions.

No member of the governing board shall be liable for any action taken or omitted with respect to such appropriation or accumulation or with respect to the investment of institutional funds, including endowment funds, under the authority granted in this chapter, if such member shall have discharged the duties of his position in good faith and with that degree of diligence, care and skill which prudent men would ordinarily exercise under similar circumstances in a like position.

Chapter 180A: Section 9. Release of restrictions imposed by gift instruments; limitations

Section 9. With the written consent of the donor, the governing board may release, in whole or in part, a restriction imposed by the applicable gift instrument on the use or investment of an institutional fund.

If written consent of the donor cannot be obtained by reason of his death, disability, unavailability, or impossibility of identification, the governing board may apply in the name of the institution to a court of competent jurisdiction for release of a restriction imposed by the applicable gift instrument on the use or investment of an institutional fund. The Attorney General shall be notified of the application and shall be given an opportunity to be heard. If the court finds that the restriction is obsolete, inappropriate, or impracticable, it may by order release the restriction in whole or in part. A release under this subsection may not change an endowment fund to a fund that is not an endowment fund.

A release under this section may not allow a fund to be used for purposes other than the educational, religious, charitable, or other eleemosynary purposes of the institution affected.

This section does not limit the application of the doctrine of cy pres.

Chapter 180A: Section 10. Application and construction

Section 10. This chapter shall be so applied and construed as to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among those states which enact it.

Chapter 180A: Section 11. Citation

Section 11. This chapter may be cited as the “Uniform Management of Institutional Funds Law”.

Investment Policy Statement Appendix D.

COMMISSIONERS OF TRUST FUNDS

Chapter 41: Section 46. Town treasurer; duties; bond

Section 46. The town treasurer shall be the custodian of all funds and securities of such trust funds, shall invest and reinvest them and expend therefrom moneys as directed by the commissioners. The treasurer shall furnish a bond satisfactory to them for the faithful performance of his duties.

Investment Policy Statement Appendix E.

BOARDS OF CEMETERY COMMISSIONERS

Chapter 114: Section 25. Gifts or bequests for cemeteries; investment of funds; disposition of proceeds of sales of lots or burial rights

Section 25. A town in which cemetery commissioners are chosen may receive gifts or bequests for maintaining cemeteries or cemetery lots, which shall be paid into the town treasury and, with the accounts thereof, shall be kept separate from the other money and accounts of said town. The town treasurer shall invest all such funds in accordance with the stipulations, if any, accompanying them; otherwise he shall invest them as ordered by said commissioners and pay the income therefrom upon their order or with their approval. The proceeds of sales of lots or rights of burial in such cemeteries shall be paid into the town treasury and be appropriated to reimburse the town for the cost of the land, its care, improvement and embellishment, or the enlargement of the cemetery.

Investment Policy Statement Appendix F.

PURPOSES FOR WHICH TOWNS MAY APPROPRIATE MONEY

Chapter 40: Section 5B. Stabilization funds; establishment

Section 5B. For the purpose of creating 1 or more stabilization funds, cities, towns and districts may appropriate in any year an amount not exceeding, in the aggregate, 10 per cent of the amount raised in the preceding fiscal year by taxation of real estate and tangible personal property or such larger amount as may be approved by the director of accounts. The aggregate amount in such funds at any time shall not exceed 10 per cent of the equalized valuation of the city or town as defined in section 1 of chapter 44. Any interest shall be added to and become part of the fund.

The treasurer shall be the custodian of all such funds and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loans associations situated in the commonwealth.

At the time of creating any such fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation an approved school project under chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. Such specification and any such alteration of purpose, and any appropriation of funds into or out of any such fund, shall be approved by two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C, in a town or district any such vote shall be taken at an annual or special town meeting, and in a city any such vote shall be taken by city council.

Chapter 40: Section 5B. Stabilization funds; establishment

Section 5B. For the purpose of creating 1 or more stabilization funds, cities, towns and districts may appropriate in any year an amount not exceeding, in the aggregate, 10 per cent of the amount raised in the preceding fiscal year by taxation of real estate and tangible personal property or such larger amount as may be approved by the director of accounts. The aggregate amount in such funds at any time shall not exceed 10 per cent of the equalized valuation of the city or town as defined in section 1 of chapter 44. Any interest shall be added to and become part of the fund.

The treasurer shall be the custodian of all such funds and may deposit the proceeds in national banks or invest the proceeds by deposit in savings banks, co-operative banks or trust companies organized under the laws of the commonwealth, or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loans associations situated in the commonwealth.

At the time of creating any such fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation an approved school project under chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. Such specification and any such alteration of purpose, and any appropriation of funds into or out of any such fund, shall be approved by two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C, in a town or district any such vote shall be taken at an annual or special town meeting, and in a city any such vote shall be taken by city council.

Investment Policy Statement APPENDIX G.

MISCELLANEOUS PROVISIONS

Chapter 44: Section 53F 1/2. Enterprise funds

Section 53F1/2. Notwithstanding the provisions of section fifty-three or any other provision of law to the contrary, a city or town which accepts the provisions of this section may establish a separate account classified as an “Enterprise Fund”, for a utility, health care, recreational or transportation facility, and its operation, as the city or town may designate, hereinafter referred to as the enterprise. Such account shall be maintained by the treasurer, and all receipts, revenues and funds from any source derived from all activities of the enterprise shall be deposited in such separate account. The treasurer may invest the funds in such separate account in the manner authorized by sections fifty-five and fifty-five A of chapter forty-four. Any interest earned thereon shall be credited to and become part of such separate account. The books and records of the enterprise shall be maintained in accordance with generally accepted accounting principles and in accordance with the requirements of section thirty-eight.

No later than one hundred and twenty days prior to the beginning of each fiscal year, an estimate of the income for the ensuing fiscal year and a proposed line item budget of the enterprise shall be submitted to the mayor, board of selectmen or other executive authority of the city or town by the appropriate local entity responsible for operations of the enterprise. Said board, mayor or other executive authority shall submit its recommendation to the town meeting, town council or city council, as the case may be, which shall act upon the budget in the same manner as all other budgets.

The city or town shall include in its tax levy for the fiscal year the amount appropriated for the total expenses of the enterprise and an estimate of the income to be derived by the operations of the enterprise. If the estimated income is less than the total appropriation, the difference shall be added to the tax levy and raised by taxation. If the estimated income is more than the total appropriation, the excess shall be appropriated to a separate reserve fund and used for capital expenditures of the enterprise, subject to appropriation, or to reduce user charges if authorized by the appropriate entity responsible for operations of the enterprise. If during a fiscal year the enterprise incurs a loss, such loss shall be included in the succeeding fiscal year’s budget.

If during a fiscal year the enterprise produces a surplus, such surplus shall be kept in such separate reserve fund and used for the purposes provided therefor in this section.

For the purposes of this section, acceptance in a city shall be by vote of the city council and approval of the mayor, in a town, by vote of a special or annual town meeting and in any other municipality by vote of the legislative body.

A city or town which has accepted the provisions of this section with respect to a designated enterprise may, in like manner, revoke its acceptance.

Investment Policy Statement APPENDIX H.

LEGAL INVESTMENTS

Chapter 167 Supervision Of Banks Sections 15A Through 15K

Section 15A: Annual List of Legal Investments

Section 15A. (a) As used in this section and in sections 15B to 15K, inclusive, "legal list" or "legal investments" shall mean the list of securities approved for investment by the commissioner.

(b) On or before July 1 of each year, the commissioner shall prepare a list of all stocks, bonds, notes and other interest-bearing obligations which are then legal investments under said sections 15B to 15K, inclusive; provided, however, that all privately placed or held issues may in the discretion of the commissioner be omitted. An entity issuing such an instrument shall identify itself directly to the commissioner as being eligible to be included on the list under sections 15E to 15K, inclusive; provided, however, that the commissioner shall have the discretion to add any entity and instrument to the list. The list shall include the name of any investment fund approved by the commissioner which invests only in such stocks, bonds, notes and other interest bearing obligations. The shares of any such investment fund so approved shall be legal investments pursuant to this section to the same extent as any such stocks, bonds, notes and other interest bearing obligations. The list shall at all times be public. In the preparation of any such list which the commissioner shall prepare or furnish, the commissioner may employ expert assistance as the commissioner believes proper or may rely upon information contained in publications which the commissioner believes authoritative in reference to such matters and the commissioner shall not be held responsible or liable for the omission from the list of the name of any state or political subdivision or authority of the state or of any corporation or association the stocks, bonds, notes or other interest bearing obligations which so conform or any investment fund which conforms to this chapter or for the omission of any investment funds, stocks, bonds, notes or other interest bearing obligations which so conform. The commissioner shall not be held responsible or liable for inclusion in the list of any such names or of nonconforming investment funds, stocks, bonds, notes or other interest-bearing obligations.

(c) Officers and members of a board of a bank or credit union may rely upon the legal list as representing an accurate listing of investment funds, stocks, bonds, notes and other interest bearing obligations eligible for investment by the bank or credit union and no officer or member shall be personally liable for any loss incurred by the bank or credit

union arising from the purchase in good faith of any shares in an investment fund or security appearing on the list at the time of the purchase.

(d) Subsequent to the annual preparation of the list, the commissioner may add the name of any investment fund which meets the requirements of this section.

(e) Before making an investment under this section, an entity shall conduct an appropriate level of due diligence to determine if an investment is both permissible and appropriate. This may include both internal and external analysis. For debt instruments, the analysis shall not rely solely on 1 or more credit rating agencies and the entity shall determine that the instrument has both a low risk of default by the obligor and the full and timely repayment is expected over the expected life of the investment.

Section 15B: Inclusion of certain investments in list of legal investment upon approval by commissioner; application by credit union; refunding of bonds.

Section 15B. (a) The legal list prepared pursuant to section 15A may include securities that are approved for investment in accordance with this section.

(b) The securities eligible for approval for investment under this section may include: (i) interest-bearing obligations of any state, county, city, town or district or any subdivision or instrumentality thereof and any authority established under the laws of the United States or any state, county, town or district, including obligations of any of the foregoing payable from specified revenues; (ii) interest-bearing obligations of any corporation organized under the laws of the United States or any state and of any association, the business of which is conducted or transacted by trustees under a written instrument or declaration of trust, having its principal place of business in the commonwealth; and (iii) preferred and common stock of any corporation described in clause (ii). Obligations eligible pursuant to clauses (i) and (ii) shall have an initial offering of at least \$50,000,000 and be rated at least a single A.

(c) Upon application by 3 credit unions which have been chartered pursuant to chapter 171, which have submitted in the form and under the conditions as the commissioner may require, requesting authority to invest their deposits and the income derived from their deposits in any of the interest-bearing obligations or stocks referred to in subsection (b), the credit unions may request that the commissioner, in the form and under the conditions as the commissioner may require, authorize, notwithstanding any general or special law to the contrary, the investment in the interest bearing obligations or stock.

(d) If the commissioner grants the authority, the commissioner shall immediately add the name of the investment to the legal list. At any time after adding the name of the investment to the legal list, the commissioner may on the commissioner's own initiative revoke that authority.

(e) If the commissioner authorized investment in an issue of bonds in accordance with this section and, if after the authorization but before the authorization is revoked the issuer shall issue bonds, the proceeds of which shall be used solely to refund the issue previously authorized for investment or another issue of equal or shorter maturity and of equal or prior security and, if the new bonds shall be of equal security with the previously authorized issue and of equal or shorter maturity, the commissioner may authorize investment in the refunding bonds and after the authorization may revoke the authority on the commissioner's own initiative. If the commissioner authorized investment in an issue of bonds in accordance with this section and, if after the authorization but before the authorization is revoked, the issuer shall issue bonds of which at least 90 per cent of the proceeds shall be used to refund the issue previously authorized for investment or another issue of equal or prior security, the security for the new bonds is not less than that for the previously authorized issue and the commissioner may authorize investment in the new bonds and after the authorization may revoke the authority on the commissioner's own initiative.

(f) In determining that any investments authorized under this section shall be included in the legal list or deleted from the list, the commissioner may employ such expert assistance as the commissioner believes proper or may rely upon information contained in publications which the commissioner believes authoritative.

(g) Not more than 10 per cent of the assets of the entity shall be invested in investments authorized under this section.

Section 15C: Classes of bonds, notes or other interest-bearing federal, state, and international obligations in which entity may invest.

Section 15C. An entity that may invest pursuant to section 15A or the legal list may invest in bonds, notes or other interest-bearing obligations of the following classes:

(i) direct obligations of the United States or in obligations that are unconditionally guaranteed as to the payment of principal and interest by the United States;

(ii) legally issued, assumed or unconditionally guaranteed bonds, notes or other interest-bearing obligations of the commonwealth, including legally issued bonds, notes or other indebtedness of an entity established as a public instrumentality by general or special law;

(iii) legally issued, assumed or unconditionally guaranteed bonds, notes or other interest-bearing obligations of any state other than the commonwealth which has, not within the 20 years prior to making the investment, defaulted for a period of more than 120 days in the payment of any part of either principal or interest of any legally issued or assumed obligation; provided, however, that the full faith and credit of the state shall be pledged for the payment of the principal and interest of the obligations;

(iv) bonds, notes or other obligations issued or guaranteed as to both principal and interest by the Dominion of Canada or any of its provinces; provided, however, that (A) the bonds, notes or obligations shall be payable in United States funds either unconditionally or at the option of the holder of the bonds, notes or other obligations; and (B) at the date of investment the Dominion of Canada or the applicable province shall not have been in default in the payment of interest or principal of any of its obligations for a period in excess of 31 days at any time within the 20 years preceding such date of investment. Not more than 5 per cent of the assets of an entity authorized to invest pursuant to section 15A or the legal list may be invested in obligations authorized under this paragraph;

(v) bonds, notes or obligations issued, assumed or guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank or the Asian Development Bank containing an unconditional promise to pay or an unconditional guarantee of the payment of the interest on the bonds, notes or obligations regularly and the principal of the bonds, notes or obligations by a specified date in United States currency; provided, however, that not more than 3 per cent of the assets of an entity authorized to invest pursuant to section 15A or the legal list shall be invested in the bonds, notes or obligations; and provided further, that the commissioner may at any time on the commissioner's own initiative suspend the authorization granted by this clause for periods as the commissioner may determine;

(vi) obligations of or instruments issued by and fully guaranteed as to principal and interest by the Federal National Mortgage Association established under the federal National Housing Act, 12 U.S.C. 1715 et seq.;

(vii) debentures, bonds or other obligations issued by any federal home loan bank or consolidated federal home loan bank debentures or bonds issued by the federal home loan bank board under the Federal Home Loan Bank Act, 12 U.S.C. 1421 et seq.;

- (viii) debentures issued by the Central Bank for Cooperatives or consolidated debentures issued by the Central Bank for Cooperatives and the 12 Regional Banks for Cooperatives under the federal Farm Credit Act of 1933, 12 U.S.C. 1131 et seq.;
- (ix) collateral trust debentures or other similar obligations issued by any federal intermediate credit bank or consolidated debentures or other similar obligations issued by the federal intermediate credit banks under the Federal Farm Loan Act, 12 U.S.C. 742 et seq.;
- (x) farm loan bonds issued by any federal land bank under said Federal Farm Loan Act;
- (xi) promissory notes representing domestic farm labor housing loans authorized under federal law when the notes are fully guaranteed as to principal and interest by the Farmers Home Administration of the United States Department of Agriculture;
- (xii) bonds, notes or obligations issued, assumed or guaranteed by the Export-import Bank of the United States;
- (xiii) obligations of any person, including any form of mortgage-backed security, as to which the payment of principal and interest according to the terms of the obligations shall be guaranteed by the Government National Mortgage Association under said federal National Housing Act;
- (xiv) certificates issued by the Federal Home Loan Mortgage Corporation representing interests in mortgage loans made, acquired or participated in by the Federal Home Loan Mortgage Corporation; and
- (xv) system-wide obligations issued under the Farm Credit Act of 1971, 12 U.S.C. 2001 et seq., by institutions included in the federal farm credit system.

Section 15D: Classes of bonds, notes or other interest-bearing municipal obligations in which entity may invest.

Section 15D. An entity authorized to invest pursuant to section 15A or the legal list may invest in bond, notes or other interest-bearing obligations of the following classes:

- (i) legally issued or assumed bonds, notes or other interest-bearing obligations of a county, city, town or legally established district of the commonwealth; and

(ii) legally issued or assumed bonds, notes or other interest-bearing obligations of a county, city, town or legally established district outside of the commonwealth; provided, however, that this clause shall not authorize investments in obligations of any city or town outside of the commonwealth which have been in default for more than 120 days in the payment of any part of principal and interest of all bonds, notes or other interest-bearing obligations legal for investment under this section.

The full faith and credit of the county, city, town or district shall be pledged for the full payment of principal and interest of all bonds, notes or other interest bearing obligations legal for investment under this section.

Section 15E: Investment in bonds, notes or other interest-bearing obligations of railroad corporations.

Section 15E. (a) An entity that may invest pursuant to section 15A or the legal list may invest in bonds, notes or other interest-bearing obligations of railroad corporations subject to the conditions, limitations and requirements of this section.

(b) With respect to bonds, the obligations shall be those of a railroad incorporated in the United States or any state doing business principally within the United States and shall contain an unconditional promise to pay the interest on the bonds regularly and to pay the principal at a specified date. This promise may be modified, if at all, only by a vote of holders of at least 75 per cent in amount of the bonds.

Not more than 20 per cent of the assets of the entity shall be invested in the railroad obligations.

(c) Investments in railroad equipment obligations shall be those of, or guaranteed by, a railroad incorporated in the United States or any state and which is doing business principally within the United States.

Section 15F: Investment in bonds of a company in the business of furnishing telephone service.

Section 15F. (a) As used in sections 15F and 15G, "bond" shall include a note or debenture.

(b) An entity that may invest pursuant to section 15A or the legal list may invest in the bonds of any company which at the time of the investment is incorporated under the laws of the United States or any state and may engage and is engaging in the business of furnishing telephone service in the United States, subject to the following: (i) the bonds shall be part of an original issue of not less than \$25,000,000 in principal amount when the company is not

incorporated in the commonwealth; and (ii) not more than 20 per cent of the assets of the entity shall be invested in the bonds of telephone companies.

Section 15G: Investment in bonds, notes or other interest-bearing obligations of gas, electric light or water company or bonds of company supplying electrical energy or artificial gas purchased from another company.

Section 15G. (a) An entity that may invest pursuant to section 15A or the legal list may invest in bonds, notes or other interest-bearing obligations of a gas, electric light or water company incorporated or doing business in the commonwealth and subject to the control and supervision of the commonwealth.

(b) An entity that may invest pursuant to section 15A or the legal list may invest in the bonds of any company which at the time of the investment is incorporated under the laws of the United States or any state and transacting the business of supplying electrical energy or artificial gas or natural gas purchased from another company and supplied in substitution for or in mixture with artificial gas for light, heat, power and other purposes or transacting any or all of the business. The bonds shall be part of an original issue of not less than \$25,000,000 in principal amount.

(c) Not more than 25 per cent of the assets of the entity shall be invested in obligations under this section and no more than 4 per cent shall be invested in the obligations of any 1 company.

Section 15H: Investment in common stock of banking corporations and bank holding companies.

Section 15H. An entity that may invest pursuant to section 15A or the legal list may invest in the common stock of banking corporations and bank holding companies subject to the following conditions, limitations and requirements:

(i) in the common stock of a bank in stock form incorporated under the laws of and doing business within the commonwealth; provided, however, that there shall be no preferred stock outstanding; or, in the common stock of a federally chartered bank in stock form doing business within the commonwealth; provided, however, that there shall be no preferred stock outstanding; provided further, that state-chartered or federally-chartered bank shall be well capitalized under bank regulatory criteria;

(ii) in the common stock of a state-chartered bank or federally chartered bank doing business anywhere within the United States, which is a member of the federal reserve system and is well capitalized under bank regulatory criteria;

(iii) in the common stock of a bank holding company as defined in chapter 167A; provided, however, that the stock shall be received pursuant to an offer made by the bank holding company to exchange shares of its common stock for

shares of a bank in stock form incorporated under the laws of the commonwealth or for shares of a federally-chartered bank doing business in the commonwealth; or provided, however, that the stock shall be received pursuant to a plan for the merger or consolidation of the bank with or into or the transfer, sale or exchange of property or of assets of the bank or with a bank in stock form incorporated under the laws of the commonwealth or a federally-chartered bank doing business in the commonwealth the stock of the bank, as the case may be, shall be at the time owned by the bank holding company;

(iv) in the common stock of a bank holding company as defined in said chapter 167A acquired otherwise than as set forth in the first paragraph or in the common stock of a bank holding company as defined in the federal Bank Holding Company Act of 1956, 12 U.S.C. 1841 et seq.; provided, however, that the holding company shall own 80 per cent or more of the voting stock of the qualifying bank; provided further, that if at any time after an investment in the common stock of the bank holding company, no bank of the holding company shall meet the requirements of clauses (iii) or (iv), the holding company's stock shall be disposed of within the reasonable time as the commissioner shall determine; and

(v) in the common stock of a company as defined in chapter 167A or in said federal Bank Holding Company Act of 1956; provided, however, that the banking institution or bank shall be the kind referred to in clauses (iii) or (iv) and the stock of the banking institution or bank represents at least 50 per cent of the company's assets at book value at the end of its fiscal year immediately preceding the date of investment or at the date of investment in the case of a newly formed company.

Section 15I: Purchase of stock of savings or co-operative bank, federal savings and loan association or federal saving bank.

Section 15I. Subject to applicable banking laws, an entity that may invest pursuant to section 15A or the legal list may purchase the whole or any part of the stock of a savings bank, co-operative bank, federal savings and loan association or federal savings bank; provided, however, that the bank or association shall be well capitalized under bank regulatory criteria.

Section 15J: Investment in capital stock of insurance company conducting fire and casualty insurance business.

Section 15J. An entity that may invest pursuant to section 15A or the legal list may invest in the capital stock of any insurance company that may conduct a fire and casualty insurance business; provided, however, that no insurance

stock shall be purchased if the cost of the insurance stock added to the cost of insurance stocks and bank stocks already owned shall exceed 66 2/3 per cent of the total of the assets of the entity.

Section 15K: Classes of securities in which entity may invest.

Section 15K. An entity that may invest pursuant to section 15A or the legal list may invest in securities of any of the following classes: debentures, convertible debentures, notes or other evidences of indebtedness of: (i) a banking corporation in the common stock of which the corporation may invest pursuant to paragraph 1 of section 15H; provided, however, that the entity that may invest pursuant to said section 15A or the legal list shall be well capitalized under regulatory criteria; or (ii) a banking corporation in the common stock of which the corporation may invest pursuant to paragraph 2 of said section 15H shall be well capitalized under regulatory criteria.

Town of Anytown Investment Policy

Presented at the Annual MCTA Cape Conference, June 2010

By Chris Rogers, CPA, Shareholder
Sullivan, Rogers & Company, LLC
Corporate Place I, Suite 204
99 South Bedford Street
Burlington, Massachusetts 01803
Office Phone: 781-229-5600

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I. Scope

The following is the investment policy for the Town Treasurer to use as a general guideline for the investment of the Town of Anytown's cash assets. The policy applies to the following:

- General Operating Funds
- Special Revenue Funds
- Stabilization Fund
- Retirement Fund
- Self-Insured Trust Funds
- Town Trust Funds

II. Objective

In addition to conforming to all applicable federal, state and other legal requirements, the primary objectives, in the order of priority, of investment activities shall be:

A. Safety:

Safety of principal is the foremost objective of the investment program.

Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

1. Credit Risk

Credit risk may be mitigated by:

- Limiting investments to the safest types of securities;
- Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which the Town will do business; and
- Diversifying the investment portfolio so that potential loss on individual securities will be minimized.

2. Interest Rate Risk

Interest rate risk may be mitigated by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
- By investing operating funds in shorter-term securities (90 days or less).

B. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrently with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).

C. Yield

The Investment portfolio shall be designed with the objective of attaining a market rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

- a declining credit security could be sold early to minimize loss of principal;
- a security swap would improve the quality, yield, or target duration in the portfolio; or
- liquidity needs of the portfolio require that the security be sold.

III. Standards of Care

A. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

B. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Town.

C. Delegation of Authority

Authority to manage the investment program is granted to the Town Treasurer derived from the following: Massachusetts General Laws, Chapter 44, section 55B and Acts of 1985, Chapter 740. Responsibility for the operation of the investment program is delegated to the Town Treasurer, who shall carry out established written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Town Treasurer. The Town Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

IV. Safekeeping and Custody

A. Authorized Financial Dealer and Institution

A list will be maintained of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by creditworthiness (minimum capital requirement \$10,000,000 and at least five years of operation). These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule)

All financial institutions and broker/dealers who desire to become qualified bidders for cash management services and investment transactions must supply the following as appropriate:

- depositories, custodians, and dealers are selected or qualified through competitive procedures, including requests for proposals for cash management services;
- Provide compliance certification from the Broker/Dealer and an independent auditor for capital adequacy requirements. Broker/Dealers conducting transactions with the Town are required to comply with the Federal Reserve Bank of New York's capital adequacy guidelines as a condition of doing business.
- audited financial statements;
- proof of National Association of Securities Dealers (NASD) certification;
- proof of state registration;
- completed appropriate module of Town's Triennial Request for Proposal process; and
- certification of having read the Town's investment policy.

An annual review of the financial condition and registration of qualified bidders will be conducted by the Town Treasurer.

B. Internal Controls

The Town Accountant is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the Town are protected from loss, theft or misuse. The internal controls' structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation costs and benefits require estimates and judgments by management.

Accordingly, the Finance Director shall establish a process for independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points:

- Control of collusion;
- Separation of transaction authority from accounting and record keeping;
- Custodial Safekeeping;
- Avoidance of physical delivery securities;
- Clear delegation of authority to subordinate staff members;
- Written confirmation of telephone transactions for investments and wire transfers;
- Wire transfer agreements with lead bank or third party custodian.

C. Delivery vs. Payment (DVP)

All trades where applicable will be executed by deliver vs. payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to the release of funds. Securities will be held by a third party custodian as evidenced by safekeeping receipts.

V. Suitable and Authorized Investments

Consistent with the Massachusetts General Laws and generally accepted practices the following investments will be permitted by this policy.

A. Investment Types

General Operating Funds: (MGL, Ch. 44, sec. 55, 55A, 55B)

1. U.S. Government obligations, U.S. Government agency obligations, and U.S. Government instrumentality obligations with a maturity of less than one year;
2. Repurchase Agreements secured by U.S. Government or Agency obligation with a maturity of less than 90 days from a trust company, national bank or banking company;
3. Certificates of Deposit with a maturity of less than two years from trust companies, national banks, savings banks, banking companies, or cooperative banks. No more than 10% of the portfolio shall be invested in CD's in any one financial institution

4. Money Market Deposit Account from a commercial bank, mutual savings bank, savings and loans, and cooperative banks; or
5. State Investment Pool (MGL Ch. 29, sec 38A).

Special Revenue Funds: (MGL, Ch. 44, sec. 55,55A, 55B)

1. U.S. Government obligations, U.S. Government agency obligations, and U.S. Government instrumentality obligations with a maturity of less than one year;
2. Repurchase Agreements secured by U.S. Government or Agency obligation with a maturity of less than 90 days from a trust company, national bank or banking company;
3. Certificates of Deposit with a maturity of less than one year from trust companies, national banks, savings banks, banking companies, or cooperative banks. No more than 10% of the portfolio shall be invested in CD's in any one financial institution;
4. Money Market Deposit Account from a commercial bank, mutual savings bank, savings and loans, and cooperative banks; or
5. State Investment Pool (MGL Ch. 29, sec 38A).

Stabilization Fund: (MGL, Ch. 40, sec. 5B)

1. Money Market Deposit Account from a nation bank, savings bank, cooperative bank, or trust company organized under the laws of the commonwealth, or
2. invest in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth, For example:
 - U.S. Government obligations, U.S. Government agency obligations, and U.S. Government instrumentality obligations;
 - Certificates of Deposit. No more than 10% of the portfolio shall be invested in CD's in any one financial institution ;
 - Mutual Funds;
 - Corporate Investment Grade Bonds;
3. State Investment Pool (MGL Ch. 29, sec 38A); or
4. in federal savings and loan associations situated in the commonwealth.

Retirement Fund: (MGL, Ch. 40, sec. 5D)

The policy adopted restricts investment in exclusively US Treasuries for terms not exceeding 5 years. A combination of notes and bills will be used to ensure cash flow requirements are met and the annual yield is achieved. Principal will be tapped as required unless it exceeds more than 2 % of the total fund. An appropriation would be requested to fund or restore the retirement Fund to the current principal balance. The cash flow requirements are based on an annual rate of two retirements per year to be paid out of the annual income. The fund will also receive an annual appropriation of \$10,000 to build principal to help cover

future sick leave buy back obligations. If properly established, the investment income could become a healthy revenue source fully funding non-contributory retirement benefits and all other Town benefits an employee receives upon retirement.

Self-Insured Trust Funds: (MGL, Ch. 44, sec. 55, Ch. 40, sec. 5E, 13A, 13C and Ch. 32b sec. 3A,)

1. deposit or invest the fund in such a manner as may be legal for the town under the laws of the commonwealth without limitation to the State Investment Pool (MGL Ch. 29, sec 3 8A);
2. invest in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth; For example:
 - U.S. Government obligations, U.S. Government agency obligations, and U.S. Government instrumentality obligations;
 - Certificates of Deposit. No more than 10% of the portfolio shall be invested in CD's in any one financial institution;
 - Mutual Funds;
 - Corporate Investment Grade Bonds;
3. The purpose of the Self-Insured Trust Fund is to cover the costs of the insurance provided to employees. Therefore, the investment vehicles should be low risk and relatively liquid. The fund has not been established to produce growth in principal or a specific dollar amount of income earnings. Investment earnings may be used to offset unknown future costs associated with each trust.

Town Trust Funds: (Ch. 180)

The Investment policy for the Town Trust Funds is included here by reference only. See "Investment Policy and Procedures for Town Trust Funds" for further details. All actions and procedures of the Town Treasurer and the implementation of the Town Trust Fund Policy must be compatible and not contrary to the policy set for General Operating Funds.

B. Collateralization

- All cash accounts will be kept at the \$100,000 FDIC coverage level as a maximum unless additional collateralization or insurance (i.e. DIF coverage for Massachusetts banks) is provided and the yield is advantageous;
- all idle cash may be deposited to the State Investment Pool which has been deemed collateralized by GASB 5;
- Two types of investments require collateralization: Certificates of Deposit and Repurchase Agreements

C. Repurchase Agreements

Any Repo purchased by the Town Treasurer is subject to include the following:

- special caution used in selecting parties with whom the Town will conduct repurchase transactions;
- be able to identify the parties acting as principals to the transaction;
- use Master Repurchase Agreement, or
- use Public Securities Association Repurchase agreement with added language addressing delivery, substitution, margin maintenance, margin amounts, seller representations and governing law.
- use proper collateralization practices to protect funds invested in repos:
 1. delivery of underlying securities through physical delivery or safekeeping with the Town's custodian; and
 2. Over collateralization ("haircuts") or marking-to-market practices are mandatory.

D. Mutual Funds

The Town may from time to time invest funds, as allowed, in a mutual fund consistent with the following:

- Portfolio diversification, liquidity, and professional management;
- Maturity of Fund is less than 60 days;
- regulated by the Securities and Exchange Commission;
- portfolio consists only of domestic securities;
- contain no derivative products;
- favorable market risk (volatility) rating from nationally recognized rating agency; and
- maintains a high Morningstar rating.

E. Investment Restrictions

The Town at the present time will not invest in the following types of investments:

- Derivatives, hedging, or speculative type of investments;
- Reverse Repos, Leveraging or similar investments;
- Master Trust and Custodial Bank Security Lending Programs;
- Any other investment type omitted from this policy

F. Designation of Depositories

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
Bank of America-operations aggregate	\$10,000,000
MMDT	\$10,000,000
Unibank	\$10,000,000
Century Bank-Lock Box operations	\$ 3,000,000
Others	\$ 3,000,000

VI. Investment Parameters

A. Cash Management

- All regular cash disbursement requirements shall be held in the State Investment Pool or other liquid accounts. The level required set by the Town Treasurer
- All FDIC accounts will be kept at the \$100,000 coverage level as a maximum unless additional collateralization or insurance (i.e. DIF coverage for Massachusetts banks) is provided and the yield is advantageous;
- All excess cash will be transferred to approved investment instruments or the State Investment Pool whichever is more advantageous after the minimum cash requirements have been met. At least 10% of the portfolio shall be invested in cash or marketable securities which can be sold to raise cash in one business day's notice.

B. Diversification

The Investments will be diversified by security type, by financial institution, and by maturity scheduling.

C. Maximum Maturity

The Town will limit the maximum final maturity on long-term investments to five years unless a specific authority is given to exceed. All General Operating Funds maximum final maturity is two years or less unless specific authority requires it to be shorter. Maturities should be staggered to avoid concentrations in any one maturity sector.

VII. Reporting

A. Methods

The Town Treasurer shall prepare an investment report at least quarterly, including a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner that will allow the Town to ascertain whether the investment activities during the reporting period have conformed to the investment policy. The report should be provided to the Town Manager, Board of Selectmen, Finance Director, and Town Accountant. The report will include the following:

- A listing of individual securities held at the end of the reporting period by fund.
- Unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities.
- Average weighted yield to maturity of portfolio on Town investments as compared to applicable benchmarks

B. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should maintain a market average rate of return during a market/economic environment of stable interest rates. Portfolio performance should be compared to appropriate benchmarks on a regular basis.

C. Marking to Market

A statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that the minimal amount of review has been performed on the investment portfolio in terms of value and subsequent price volatility.

D. Fees

Fees for securities and mutual fund based investments may be charged on a managed or transaction fee basis whichever is more cost effective, as determined by the Treasurer. Fees may therefore be paid/recorded based on a pre-determined payment schedule (e.g. quarterly, annually), netted against income distributions or netted against the investment's purchase price.

E. Arbitrage

Certification that states bond proceeds are not to be used for purposes of arbitrage. Bond issues (and any proceeds thereof) are to be used for the intended purpose; not considered surplus for investment in higher yielding, taxable securities.

F. Exemption

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

G. Amendments

This policy shall be reviewed on an annual basis. Any changes must be approved by the Town Treasurer, Town Manager, Town Accountant, and Finance Director.

H. Performance Monitoring

The Town Treasurer along with designated financial staff, auditor, and the Town Accountant may review the performance of the entities selected providing services through the RFP process. The review may occur off the fiscal year calendar due to information reporting and collection limitations. The results of the review will become part of the next quarterly report.

Annual Review:

- Cash accounts marked against competitors. Failure of the bank to provide competitive interest rates on comparable products and services will reflect negatively on the fee or service relationship established by a competitive proposal process. Long-term lagging of interest rates behind competitors may require an interim RFP to be executed by the Treasurer. Yield comparisons will be against competitors' product or services (i.e., checking to checking, savings to savings, money market to money market).
- Investment Yield Comparisons: Investment accounts marked against selected indices and market.
- Services Provided. Meeting contractual agreement and performance standards set by RFP.
- Annual Review of financial condition of each entity

Triennial Review:

- Annual Review Procedures
- Execution and Completion of RFP for Cash Management Services

VIII. Glossary

Accrued Interest:

The accumulated interest due on a bond as of the last interest payment made by the issuer.

Agency:

A debt security issued by a federal or federally sponsored agency. Federal agencies are backed by the full faith and credit of the U.S. Government. Federally sponsored agencies (FSAs) are backed by each particular agency with a market perception that there is an implicit government guarantee.

Amortization:

The systematic reduction of the amount owed on a debt issue through periodic payments of principal.

Arbitrage:

As applied to municipal debt, the investment of tax-exempt bonds or note proceeds in higher yielding, taxable securities. Section 103 of the Internal Revenue Service (IRS) Code restricts this practice and requires (beyond certain limits) that earnings be rebated (paid) to the IRS.

Average Life:

The average length of time that issues of serial bonds and/or term bonds with a mandatory sinking fund feature is expected to be outstanding.

Banker's Acceptance:

A short-term non-interest bearing note sold at discount and redeemed at face value. It is secured by the goods which it finances, the bank that accepts the draft and the issuer's promise to pay. These notes trade at a rate equal to or slightly higher than certificates of deposit, depending on the market supply and demand.

Basis Point:

A measure of an interest rate, i.e., 1/100 of 1 percent, or .001.

Bid:

The indicated price at which a buyer is willing to purchase a security or commodity.

Book Entry Securities:

A system established by the U.S. government wherein securities are transferred on the basis of computerized records maintained at the Federal Reserve, instead of actual certificates. The system was devised to facilitate the transfer of ownership and to prevent loss through destruction and theft. The vast majority of U.S. government securities are now in the form of book-entry securities.

Book Value:

The value at which a security is carried on the inventory lists or other financial records of an investor. The book value may differ significantly from the security's current value in the market.

Callable Bonds:

A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

Call Price:

The price at which an issuer may redeem a bond prior to maturity. The price is usually at a slight premium to the bond's original issue price to compensate the holder for loss of income and ownership.

Call Risk:

The risk to a bondholder that a bond may be redeemed prior to maturity.

Cash Management:

A combination of various techniques for accelerating cash receipts, delaying cash disbursements, effectively utilizing banking services and improving investment of idle funds.

Cash sale/purchase:

A transaction which calls for delivery and payment of securities on the same day that the transaction is initiated.

Certificate of Deposit (CD):

A time deposit with a specific maturity evidenced by a certificate. Large denomination CDs are typically negotiable as to maturity and yield.

Collateralization:

Value of securities pledged to a specific amount or investment as supplemental security to the credit of the issuer or the broker. Collateral can be of a specific nature and priced at par or market value.

Collusion:

Collusion is a situation where two or more employees are working in conjunction to defraud their employer.

Commercial Bank:

A financial institution licensed by the state and/or the federal government to receive deposits, allow demand accounts, lend money, and provide trust services and other related services. Generally banks are allowed to engage in more varied lending activities

than other financial institutions. They are owned by stockholders and are operated for profit.

Commercial Paper:

An unsecured promissory note issued by corporations with a fixed maturity from 2 to 270 days. Commercial paper is normally sold at a discount from face value.

Commingle:

A process by which cash is mixed together so that the identity of individual items is lost. Commingle is vastly different from combine or consolidate and is generally not legal or appropriate for public funds.

Compensating Balances:

A method of paying the bank for providing services. The actual bank service charges form the basis for determining the level of balances to be left with the bank. Adjustments are allowed for reserve requirements and potential interest that could have been earned by the depositor.

Confirmations:

Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.

Consolidate:

A process by which cash, or any other item, is combined while maintaining the identity of each item. Consolidating several bank accounts into one account is always accomplished by a continuation of separate book balances for each fund on the government unit's ledger. Consolidation is a legal and efficient way to gain economies of scale in cash management. Also referred to as "pooling of funds".

Coupon Equivalent:

A financial technique that converts the discount yield basis of certain securities into the equivalent bond yield to facilitate comparisons among all securities. Generally this technique computes the yield based on the discounted price, rather than on the face value, and covers a 365-day period, rather than the 360 days used for discount yield.

Coupon Rate:

The annual rate of interest received by an investor from the issuer of certain types of fixed-income securities. Also known as the "interest rate".

Credit Quality:

The measurement of the financial strength of a bond issuer. This measurement helps an investor to understand an issuer's ability to make timely interest payments and repay the loan principal upon maturity. Generally, the higher the credit quality of a bond issuer,

the lower the interest rate paid by the issuer because the risk of default is lower. Credit quality ratings are provided by nationally recognized rating agencies.

Credit Risk:

The risk to an investor that an issuer will default in the payment of interest and/or principal on a security. Credit Risk is the risk of loss due to the failure of the security issuer or backer.

Current Yield (Current Return):

A yield calculation determined by dividing the annual interest received on a security by the current market price of that security.

CUSIP:

A uniform identification method established for municipal, U.S. government securities and corporate securities by the Committee on Uniform Security Identification Procedures under the auspices of the American Bankers Association.

Custodial Safekeeping:

Securities purchased from any bank or dealer including appropriate collateral (as defined by State Law) shall be placed with an independent third party for custodial safekeeping.

Delegation of Authority:

Senior and Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.

Delivered Securities:

Delivered Securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities. Delivery versus Payment (DVP) a type of securities transaction in which the purchaser pays for the securities when they are delivered either to the purchaser or his/her custodian.

Derivatives:

A derivative is a financial instrument created from or whose value depends on (is derived from) the value of one or more underlying assets or indexes of asset values. The term "derivative products" refers to instruments or features such as collateralized mortgage obligations (CMOS), interest-only (IOYs) and principal-only (PO'S), forwards, futures, currency and interest rate swaps, options, floaters/inverse floaters, and caps/floors/collars.

Discount:

Yield basis on which short-term, non-interest bearing money market securities are quoted. A rate quoted on a discount basis understates bond equivalent yield, which must be calculated when comparing the return against coupon securities.

General Operating Funds:

Any available cash not designated for a special purpose interest bearing account or posted on a warrant. This would include general revenue and receipts and segregated fund balances on the Town's General Ledger whose interest earnings benefit the Town.

Interest Rate Risk:

The risk that the market value of securities in the portfolio will fall due to changes in general interest rates.

Investment Pools:

In most states there are provisions for the creation and operation of a government investment pool. The purpose of the Pool is to allow political subdivisions to pool investable funds in order to achieve a potentially higher yield.

There are three (3) types of pools: 1) state-run pools; 2) pools that are operated by a political subdivision where allowed by law and the political subdivision is the trustee; and 3) pools that are operated for profit by third parties. Prior to any political subdivision being involved-with any type of pool, a thorough investigation of the pool and its policies and procedures must be reviewed.

Leveraging:

Includes purchasing securities on margin (by borrowing funds from a counterparty), selling securities short (by borrowing the security from a third party and selling in anticipation of higher interest rates), purchasing long-term bonds with short-term funds, and trading futures contracts without an exact offsetting cash market position.

Liquidity:

Ease with which a financial instrument can be converted to cash quickly with minimal loss of principal.

Marketability:

Ability to sell large blocks of money market instruments quickly and at competitive prices.

Pooling:

See consolidation; also connotes combining of assets of different entities (i.e., two or more cities) for investment purposes while maintaining separate accounting trails.

Proposal:

A written pledge by a bank or other service provider to supply certain cash management services for a certain fee or compensating balance.

Prudent Person Standard:

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of

their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Repurchase Agreement:

A repurchase agreement (repos) is the sale by a bank or dealer of a government security with the simultaneous agreement to repurchase the security on a later date. Repos are commonly used by public entities to secure money market rates of interest.

Request for Proposals:

A written notification prepared by an organization requesting offers to provide certain services and to specify prices for these services. The RFPs are generally quite detailed as to the types of services needed. In the Commonwealth of Massachusetts the statutes require municipalities to use Chapter 32B and establish a triennial review process of cash management services contracts.

Retirement Fund:

Established to address the long-term unfunded liability requirements of the Town's retirement benefits. Under the current policy the income from the Retirement Fund will pay for non-contributory retirement obligations, unanticipated sick-leave buy back requirements, and any unanticipated funding requirements issued by the Middlesex County Retirement System.

Reverse Repo:

In a reverse repo, an investor owns securities, such as a Treasury note, U.S. government agency bond or other security, that a bank or dealer purchases under an agreement to sell back to the investor on a specified date, at an agreed-upon interest rate.

Savings and Loan Association:

A-national or state chartered institution that accepts deposits and lends them out as mortgages. These associations generally are owned by the depositors, not by stockholders as in the case of banks.

Security Lending Programs:

As part of their trust and custody management services, banks like other money managers offer to lend securities owned by institutional clients to brokers in exchange for collateral. The collateral, which is usually cash, is reinvested at a rate higher than the rebate rate paid to the broker. The resulting proceeds are subsequently split between the lending agent and the client. Unsound collateral reinvestment practices can result in some master trust and custodial banks incurring losses on behalf of their institutional security lending program customers. Rapidly changing interest rates, lending short and investing long, investing in speculative derivatives, and paying a fixed rebate while investing in floating rebate rate securities under adverse market conditions are examples of situations that can produce investment losses.

Security Lending Transaction:

A security lending transaction is similar to a reverse repurchase transaction and subject to many of the same risks. While indemnifications offered may vary, the lending agreement may provide that broker credit risk, broker default risk, and collateral maintenance are risks undertaken by the lending agent. The degree of risk assumed by the lending agent generally is reflected in the split of proceeds. Lending agent credit risk, lending agent default risk and collateral reinvestment risks are undertaken by the institutional client.

Self-Insured Trust Funds:

These funds include, Health Insurance, Retiree Supplemental Health Insurance (OME), Unemployment Compensation, Workers Compensation, and any other self-insured fund the Town may adopt in the future.

Separation of Duties:

By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.

Special Revenue Funds:

All segregated fund balances required to be in interest bearing accounts.

Stabilization Fund:

MGL, C. 40, sec. 5B. Cities, Towns and districts may appropriate in any year an amount not exceeding ten (10) percent of the amount raised in the preceding fiscal year by taxation. The aggregate amount in the fund at any time shall not exceed ten (10) percent of the equalized valuation of the city or town. Any interest shall be added to and become part of the fund; The Treasurer shall be the custodian of the fund. The stabilization fund may be appropriated in a town, at annual town meeting be a two-thirds vote or at a special town meeting by a two-thirds vote. Said fund may be appropriated for any lawful purpose.

Town Trust Funds:

Gifts and donations accepted by the Trustees of Town Donations given to the Town through trust or in perpetuity agreements. A separate investment policy is maintained and formulated by the Trustees of Town Donations and will be complementary to the Town Investment Policy because the Town Treasurer is responsible for executing all approved investment activities.

U.S. Government Agency Securities:

A variety of securities issued by several U.S. agencies. Some are issued on a discount basis and some are issued with coupons. Several have the full faith and credit guarantee of the U.S. government, although others do not.

U.S. Government Treasury Securities:

A non-interest bearing security issued by the U.S. Treasury to finance the national debt. Bills are issued in three-month, six-month, and one-year maturities. Notes are issued in 2, 3, 5, 10 or 30 year maturities.

Wire Transfer Agreements:

This agreement should outline the various controls, security provisions, and delineate responsibilities of each party making and receiving wire transfers.

Yield:

The rate of annual income returned on an investment, expressed as a percentage.



Town of Arlington, Massachusetts

Discussion: Board Appointee to Scholarship Program Working Group

Summary:

Joseph Curro, Chair

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Dollar_for_Scholars.pdf	Request from Treasurer

From: "Dean Carman" <DCarman@town.arlington.ma.us>
To: JCurro@town.arlington.ma.us, JLeone@town.arlington.ma.us, jthielman@arlington.k12.ma.us, "Sandy Pooler" <SPooler@town.arlington.ma.us>
Cc: "Adam Chapdelaine" <AChapdelaine@town.arlington.ma.us>
Date: 06/13/2017 06:59 PM
Subject: Dollars for Scholars Program Working Group

Good evening,

I would like to form a working group to review the town's scholarship program that is run out of the Treasurer's office, commonly known as the Dollars for Scholars program. The group would be tasked with reviewing all elements of the current program (organizational structure, administration, scholarship selection, by-law review, etc.), and make recommendations to modernize the program and/or make it more efficient. Wanting, broad based appeal to the program I'm going to ask each of you to appoint a person to the working group:

1 appointee made by the Chair of the Board of Selectman

1 appointees made by the Chair of the School Committee

1 appointee made by the Town Moderator

Town Treasurer

Deputy Town Manager, or his designate

Citizen appointees as needed

Please note that having been involved with the Dollar for Scholars program for ten weeks, I can affirmatively state that the best people for this job are teachers and retired teachers because the core of the scholarship program are the evaluation of essays, GPA's, SAT's and a whole bunch of other stuff that teachers love. You can obviously pick whoever you want to represent your interest, I just want to let you know who I feel would make the best appointee.

We awarded \$150,000 in scholarships this year, so this is a large and important program.

If you need assistance in identifying an appointee, let me know and I can work with Sandy to find the appropriate person for you.

Thanks,

Dean



Town of Arlington, Massachusetts

Request for Approval: Community Choice Aggregation Buckslip Insertion into Quarterly Tax Bills

Summary:

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	MEMO_Buckslip_CCA.pdf	Memo Buckslip CCA
▢	Reference Material	arlington-buckslip-Final.pdf	Buckslip Final



**Town of Arlington
Office of the Town Manager**

Adam W. Chapdelaine
Town Manager

**730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010
Fax (781) 316-3019
E-mail: achapdelaine@town.arlington.ma.us
Website: www.arlingtonma.gov**

To: Board of Selectmen

From: Adam W. Chapdelaine, Town Manager

RE: Request for Approval – Insertion of Community Choice Aggregation Buck Slip in Tax Bill

Date: June 16, 2017

As part of the Community Choice Aggregation outreach campaign, we would like to include a buck slip (attached for review) in the upcoming quarterly tax bill. We have coordinated with the Treasurer's Office and they are able to include this buck slip without increasing the cost of the mailing. Per M.G.L. Ch. 60 §3A, the Board of Selectmen needs to approve the inclusion of such materials in the tax bill. We are requesting your approval to do so at Monday's meeting.

I am happy to answer any questions that the Board may have in regard to this matter.

Arlington Community Choice Aggregation



The Town of Arlington announces Arlington Community Choice Aggregation (CCA). Approved by Town Meeting, the program will launch with your August 2017 meter reading. No action is required in order to participate, and you can select the amount of renewable energy which works best for you.

Community Choice Aggregation leverages Arlington's bulk purchasing power in order to offer competitive electricity supply pricing and rate stability for consumers, while providing more renewable energy options to help reduce the town's carbon footprint.

In a competitive bid culminating in May 2017, Dynegy was selected as the winning supplier to the program.



For more information:
Website: ArlingtonCCA.com
or call: (800) 680-9104

Arlington Community Choice Aggregation



Benefits

- **Competitive pricing and rate stability**
- **Choice of renewable energy options – 5%, 50% or 100% more renewable energy than what is required by the Commonwealth**
- **Ability to leave program without penalty**
- **Tax deductions provided for products offering additional renewable energy**

Features

- **Automatic enrollment with 30-day opt out**
- **No contract or installation required**
- **No change in Eversource services**
- **Receive a single bill from Eversource**
- **Budget Plan/Low-Income delivery rate customers continue to receive benefits from Eversource**

**Please visit the program
website to learn more
ArlingtonCCA.com
or call: (800) 680-9104**



Town of Arlington, Massachusetts

Request for Approval: Pay & Display Configuration at Library Lot Meter

Summary:

Adam W, Chapdelaine, Town Manager

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	MEMO_Library_Pay_Display.pdf	Memo Pay and Display



**Town of Arlington
Office of the Town Manager**

Adam W. Chapdelaine
Town Manager

**730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010
Fax (781) 316-3019
E-mail: achapdelaine@town.arlington.ma.us
Website: www.arlingtonma.gov**

To: Board of Selectmen

From: Adam W. Chapdelaine, Town Manager

RE: Request for Approval – Pay & Display Meter Configuration at Library Lot

Date: June 16, 2017

I am requesting that the Board authorize the parking meter in the Robbins Library Lot to be configured as Pay & Display. The Board had previously accepted the recommendation of the Parking Implementation and Governance Committee to configure the meter as Pay by Space, but through the winter we learned that painting the space numbers on the ground proved problematic with snow, ice, and salt. We also have verified that we don't have the space to put sign poles in along the Library while still maintaining an ADA accessible path.

Based on this, we are asking the Board approve a Pay& Display configuration, which is the same as the way the meters are configured in both the Russell Common Lot and the Railroad Lot. I am happy to answer any questions that the Board may have.



Town of Arlington, Massachusetts

Request for Approval: Refer Gibbs School Traffic Analysis to TAC

Summary:

Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	MEMO_Gibbs_TAC.pdf	TAC Memo



**Town of Arlington
Office of the Town Manager**

Adam W. Chapdelaine
Town Manager

730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010
Fax (781) 316-3019
E-mail: achapdelaine@town.arlington.ma.us
Website: www.arlingtonma.gov

To: Board of Selectmen

From: Adam W. Chapdelaine, Town Manager

RE: Request for Referral – TAC Study of Gibbs Related Traffic Matters

Date: June 16, 2017

As the Board may recall, one of the items stemming from the decision to repurpose the Gibbs School as a Town-wide sixth (6th) grade, was the need to study traffic impacts of both routes to school and circulation immediately around the school. Based on this, I am writing today to request that the Board refer the following scope of review to TAC:

Study, analyze, and make recommendations regarding traffic and transportation matters regarding the Gibbs School. This study will examine both trip generation to the school once open and its impact on major intersections in the center of Town as well as drop-off, pick-up and general circulation around the school facility. This study will also include a review of safe walking routes to school for the Gibbs School.

I have spoken with the Chair of TAC and he feels comfortable that the committee has the time and capacity to perform this review and analysis. I am happy to answer any questions that the Board may have in regard to this matter.



Town of Arlington, Massachusetts

For Approval: Amendment to Traffic Rules & Orders

Summary:

a) Kelwyn Manor: Princeton Road and Alfred Road Traffic
Adam W. Chapdelaine, Town Manager

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Ref_Mat_6.19.17_Kelwyn_Manor.pdf	report and request

ARLINGTON POLICE DEPARTMENT

CHIEF OF POLICE

Frederick Ryan



Town of Arlington

MASSACHUSETTS 02474

POLICE HEADQUARTERS

112 Mystic Street

Telephone 781-316-3900

Facsimile 781-316-3919

MEMORANDUM

TO: Marie Krepelka
Board Administrator

FROM: Officer Corey P. Rateau
Traffic and Parking Unit

DATE: June 6, 2017

RE: Requested Amendment to the Traffic Rules & Orders - Article VII

The Traffic and Parking Unit is requesting that Article VII, Section 8A (Operation of Vehicles) of the Traffic Rules & Orders be amended by adding the following restriction under **Travel Prohibited**:

The operator of any vehicle or other conveyance shall not enter Princeton Road Northbound beyond the intersection of Spy Pond Lane from 4:00 p.m. to 7:00 p.m., Saturday, Sunday and Holidays excluded.

This request is in response to a review of the area by a working group formed by the Town Manager. The goal is to help alleviate the problem of several hundred cars during this time frame cutting through Kelwyn Manor and subsequently traversing Alfred Rd. in order to bypass rush-hour traffic on Lake Street.

Cc: Frederick Ryan, Chief of Police
Capt. Julie Flaherty, Support Services Commander
Lt. Paul Conroy, OIC / Traffic, Details, and Licensing
Deputy Chief John Kelly, Arlington Fire Operations
Adam Chapdelaine, Town Manager
Dan Warren, Operations Manager, DPW

"Proactive and Proud"

-----Original Message-----

From: Jack Hurd <jdhurd27@gmail.com>

To: Adam Chapdelaine <achapdelaine@town.arlington.ma.us>, Jim Feeney <JFeeney@town.arlington.ma.us>, Corey Rateau <crateau@town.arlington.ma.us>, Tom Wilhelm <tomwilhelm@gmail.com>, Andy Jacobs <Apjacobs@gmail.com>

Date: Wed, 24 May 2017 18:27:21 -0400

Subject: Kelwyn Manor / Pondview / Alfred traffic issue

Hello all,

First, I appreciate the opportunity to engage in the discussion about excessive and very dangerous traffic (approximately 400 cars per afternoon) cutting thru Kelwyn Manor and on through Alfred and Pondview roads. During that meeting two viable options came up to resolve the problem. 1. Do Not Enter 4 to 7 PM weekdays at the Princeton end of Pondview and Alfred Rd. 2. Do Not Enter 4-7 PM week days at the halfway point of Princeton road outside KM at the intersection of Spy Pond Lane. There seemed to be general support of these ideas from the group. These options, after a some confusion initially, would "dead-end the problem" understanding that enforcement may be limited. The only downside of this would be that KM, Alfred and Pondview residents can't cut-thru either! This idea was presented on the KM email list which includes about 150 of 185 households. There was only one person that expressed concern about their inability to cut-thru to avoid Lake street traffic. At that meeting I informed the group of a newly formed KM traffic committee that I would be chairing that would be meeting to discuss this matter very soon. There was also agreed to have a follow-up joint meeting with the Alfred and Pondview reps. Last Friday the KM committee met along with Tom Wilhelm of Alfred road and another gentleman from Spy Pond Lane. The group discussed the seriousness of the problem and the proposed solutions. It was discussed and agreed upon that the 6-month trail of traffic flow effecting Eliot Road and Mary Street significantly increased the traffic flow through KM and that both problems go hand and hand. The consensus of the group was that either proposal would achieve the same results but the group had a preference for option #2 because of potential turnaround confusion. As I recall the option that required some follow-up from Officer Cori Rateau was whether a Do Not Enter on that private way stretch of Princeton would be enforceable.

We would appreciate your thoughts and your support on this matter and we would like to get one of these proposals before the BOS as soon as possible.

Thanks very much,
Jack Hurd

-----Original Message-----

From: Jack Hurd <jdhurd27@gmail.com>

To: Corey Rateau <CRateau@town.arlington.ma.us>

Cc: Adam Chapdelaine <achapdelaine@town.arlington.ma.us>, Jim Feeney <JFeeney@town.arlington.ma.us>, Tom Wilhelm <tomwilhelm@gmail.com>, Andy Jacobs <Apjacobs@gmail.com>

Date: Tue, 30 May 2017 17:25:55 -0400

Subject: Re: Kelwyn Manor / Pondview / Alfred traffic issue

Hi Cori,

Yes, there has been discussion about adding the Bollards back at the KM end of Princeton. I think it's a good idea because of the narrow and obstructive nature of that corner. This would prevent traffic thru Princeton but I would expect that most of that group would then go down Spy Pond Parkway. I think the residents are well aware of the limited enforcement factor but feel that the majority of people follow the law and the Waze App would change their recommended route once they no it's a new traffic law. Eliminating cut-thru traffic by 70 or 80 % would be a very significant safety improvement. Thanks for installing the counters today. Right now I am watching out the window a steady stream of cut-thru cars many of them speeding up as they approach the park. Talk to you soon.

Thanks,
Jack

On Tue, May 30, 2017 at 3:16 PM, Corey Rateau <CRateau@town.arlington.ma.us> wrote:

Jack,

Any comment on adding in the knockable bollards at the end? I think that would definitely curtail the problem more so than having just a sign that can probably only be periodically enforced.

Officer Corey P. Rateau
Arlington Police Department
Traffic and Parking Unit
(781)-316-3944 (Office)
(781)-316-3933 (Fax)
Email: CRateau@town.arlington.ma.us



Town of Arlington, Massachusetts

Town Manager's Evaluation

Summary:

Joseph A. Curro, Jr., Chair

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	TM_Evaluation_2017.pdf	evaluation



TOWN OF ARLINGTON

HUMAN RESOURCES DEPARTMENT

730 MASSACHUSETTS AVENUE, ARLINGTON, MA 02476
PHONE (781) 316-3120 FAX: (781) 316-3129

CARYN COVE MALLOY
DIRECTOR OF HUMAN RESOURCES

Memorandum

To: Board of Selectmen Chair Joe Curro
From: Director of Human Resources Caryn Malloy
Re: Town Manager Adam Chapdelaine Performance Review
Date: June 15, 2017

Pursuant to the evaluation forms completed by each member of the Board of Selectmen I am providing you with the consensus document for your consideration.

1. Personal Characteristics – Average Score 4.78

The Board continues to hold the Town Manager in high regard for being “exceedingly honest and fair” in how he conducts himself. He is described as excellent in managing new and unforeseen problems with innovation and creativity. Members appreciate the personal responsibility Adam takes for town operations. A board member cited his apology to the residents after the Town’s poor response to an inconveniently timed snowstorm earlier this year as an admirable example of accountability, rarely seen in either the public or private sector.

2. Professionalism – Average Score 4.75

Members of the Board describe Adam as the consummate public service professional. The Board is appreciative of the high level of engagement Adam has in various municipal professional organizations and how well he represents the Town of Arlington. Members appreciate the efforts Adam makes to become educated and informed on new and complex issues. Members expressed that while they know Adam has a high level of commitment to professionalism they did not have much insight into how staff within the town are invested in.

3. Public Relations/Communication – Average Score 4.98

Again this year Board members described this area as among Adam’s strongest. Adam’s accessibility to the community is described as one of the hallmarks of Adam’s leadership. His public speaking skills are described as “clear and succinct with an excellent ear for his audience.” Members were also complimentary of the Town Manager’s grasp of the range of public relations tools and how to utilize them.

4. Board Support/Relations – Average Score 4.75

Members of the Board expressed that they consistently receive sound and appropriate advice from the Town Manager. His support of the Board in preparation for Board meeting and Town Meetings was described as “invaluable”. Members also appreciated the good judgement Adam shows in keeping the Board informed. One member expressed that there should be more emphasis on carrying out the vision of the current Board of Selectmen vs. a continued implementation of policies envisioned by former members of the Board.

5. Community Leadership – Average Score 4.89

Members of the Board expressed as they have in previous years that they think the manager is truly exceptional in this area and are grateful that Adam is so visible and approachable even in areas “outside of traditional government function”. One member expressed that it is good to see the Assistant Town Manager taking a greater role in representing the Town and providing information to the Board in the hope that this is taking some of the pressure off of Adam and will allow him to focus on higher level organizational planning. One member would like to see the Town Manager get more direct access to elected Representatives and Senators, rather than interacting primarily with their staff.

6. Organizational Leadership/Personnel Management – Average Score 4.41

Similar to comments made last year, the majority of the Board indicate that Adam has made excellent appointments to town positions at all levels of the organization and that he has an excellent team of senior managers. One member of the Board expressed that the Town Manager should continue to ensure that hiring practices are fair and based on selecting the person best qualified, additionally the members asked that, when appropriate, internal candidates should be given consideration. One member expressed a strong desire to receive more frequent labor relations updates and to see progress on the implementation of standardized performance evaluations of town staff. Similar to comments made under other areas of the evaluation, members expressed concern that other Town staff are not leaned on as heavily by Adam as they might be in order to better distribute his significant workload.

7. Financial Management – Average Score 4.88

Adam received high marks from the Board for dedicating limited resources as effectively as possible to provide a high level of service to the community. The Board was very complimentary of his skills in both short-term and long-range financial planning. The Board was also pleased with extent to which Deputy Town Manager Sandy Pooler has transitioned into taking over coordination of town finances and one member expressed it is positive to see some of those duties effectively delegated away from Adam. One member expressed that it will be important to have tight coordination and planning for upcoming overrides.

8. Planning and Organization – Average Score 4.48

Overall the Board indicated they are pleased with Adam's long term planning. One member indicated a desire to see continued improvement from Information Technology staff as well as continued progress toward greater utilization of technology within town departments. One member was very complimentary of Adam's implementation of key components of Arlington's Master Plan. Adam's preparation for the Board's annual goal setting sessions, and the utilization of the goals derived from those sessions was complimented. Members were very complimentary of the Town Manager's assistance in preparing for Town Meeting. With regard to rating Adam's ability to set appropriate goals and objectives for staff performance, members expressed a high degree of confidence in Adam's abilities as a supervisor but did not think they had sufficient data to weigh in accordingly.

9. Overall – Average Score 4.94

Collectively the Board expressed that the Town of Arlington is very fortunate to have Adam as its Town Manager.

The Board recognizes that Adam is a true professional and having him on board as we face some of the significant financial challenges ahead will be crucial. Board members appreciate how he listens to the different opinions of individual Board members and balances requests from individual members. One member expressed that they would like to see Adam less reactive to external political pressures from current and past elected officials.

There are lingering concerns regarding Adam's delegation of work and his ability to maintain a healthy work life balance that will hopefully allow him to stay on as Town Manager well into the future. The Board is clearly committed to supporting Adam in what can be a very demanding job.



Town of Arlington, Massachusetts

Request Enforcement of 25mph Speed Limit on Ridge Street

Summary:

Drs. Nazila & Matthew Miller, 80 College Avenue

ATTACHMENTS:

Type	File Name	Description
Reference Material	Ref_Mat_6.19.17_Speeding_Ridge_St..pdf	correspondence request

From: "Request/Answer Center" <arlingtonma@mycusthelp.net>
To: "Mary Ann Sullivan" <MSullivan@town.arlington.ma.us>
Date: 06/14/2017 07:44 AM
Subject: [BOSAdmin] Incoming BoS Agenda Item Request

6/14/2017 7:43:15 AM
Enforcing 25 mph speed

Dear Selectmen, The newly 25mph speed limit is highly appropriated for Arlington with so many children and families. However, it is not enforced where we live. We are residents of Ridge street with a five year old child and the vehicles' average speed often exceeds this limit; cars obviously speed on this road that has no side walks. Please place this item on your next meeting's agenda. Sincerely, Drs. Nazila and Matthew Miller

NazilaMiller

W082021-061417

Do **NOT** respond to this email. It is for informational purposes only. Click this link to review Request.
<https://mycusthelpadmin.com/ARLINGTONMA/Zadmin/ServiceRequests/Details.aspx?id=82021>



Town of Arlington, Massachusetts

Request Traffic Speed Slowing Solution on Washington Street

Summary:

Jeremy Keller, 600 Summer Street

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Ref_Mat_6.19.17_Wash._St._Speeding_C.R..pdf	email correspondence

From: Jeremy Keller <jeremykeller@gmail.com>
To: mkrepelka@town.arlington.ma.us
Date: 06/15/2017 01:24 PM
Subject: traffic concern

Hello,

I am writing to request some type of traffic speed slowing sign, signal or crosswalk. I live with my family in Turkey hill area of Arlington. Traffic on Washington street near its intersection with Aerial street as well as Mountain ave is often quite fast. Our children frequently cross Washington street in this area to go to school. Can you refer this to Traffic Advisory Committee?

Thank you

Jeremy Keller

617-947-6248



Town of Arlington, Massachusetts

NEW BUSINESS



Town of Arlington, Massachusetts

EXECUTIVE SESSION



Town of Arlington, Massachusetts

Next Scheduled Meeting of BoS July 24, 2017.